

MADERA UNIFIED SCHOOL DISTRICT

Personnel Commission Meeting AGENDA

Regular Meeting
Wednesday, September 18, 2019
Madera Unified School District Board Room
1902 Howard Road, Madera, CA 93637
5:00 PM – Open Session

OUR MISSION
Highest Student Achievement
A Safe and Orderly Learning Environment
Financially Sound and Effective Organization

1. Pledge of Allegiance, Opening and Acknowledgement of Visitors and Media

2. Adoption of Agenda

Action to add or delete items from any portion of the agenda or to discuss any consent agenda items must be taken prior to adoption of the agenda.

3. Communications

Public Hearing for visitors who wish to speak on a subject not on the Commission agenda. Fifteen minutes of this portion of the meeting are reserved for members of the public to address the Commission on items not listed on the agenda and within the jurisdiction of the Commission. Speakers are limited to three (3) minutes. The Commission is prohibited by law from taking action on matters discussed that are not on the Agenda, and no adverse conclusions should be drawn if the Commission does not respond to public comment at this time. If you wish to address the Commission, come to the podium and state your name and city of residence.

4. Consent Agenda

Items listed under the consent agenda are considered routine and are acted on by the Commission in one motion. There is no discussion of these items prior to the Commission's vote unless a member of the Commission, staff or public requests specific items be considered and discussed separately and/or removed from the Consent Agenda prior to the adoption of the Agenda. It is understood that the Administration recommends approval on all consent items. Each item on the consent agenda approved by the Commission shall be deemed to have been considered in full and adopted as recommended.

A. Approval of minutes:

1. Approve minutes from Wednesday, August 21, 2019, Regular Meeting.

B. Consideration and approval of Eligibility Lists for:

1. Accounting Technician III
2. Accounting Technician V
3. Information Systems Specialist
4. Paraprofessional – Special Needs

5. New Business

- A. Discuss and approve new classified job description for Behavioral Intervention Technician And Classified Salary Recommendation
- B. Discuss and approve new classified job description for Supervisor –Behavior Analyst and Classified Salary Recommendation
- C. Discuss and approve the revised classified supervisory job description for Child Welfare and Attendance Supervisor
- D. Discuss and approve the revised classified job description for Head Custodian I
- E. Discuss and approve the revised classified job description for Head Custodian II
- F. Discuss and approve the revised classified job description for Head Custodian III
- G. Discuss and approve the Professional Services Agreement for Liebert Cassidy Whitmore law firm

6. Information and Reports

- A. Director's Report
- B. Commissioner's Report

7. Next Regular Personnel Commission Meeting

Wednesday, October 23, 2019 at 5:00 pm
Madera Unified School District Office – Boardroom
1902 Howard Road
Madera, California 93637

8. Suggested Future Agenda Items

9. Adjournment

Board Room Accessibility: The Madera Unified School District encourages those with disabilities to participate fully in the public meeting process. If you need a disability-related modification or accommodation to participate in the public meeting, please contact the Personnel Commission office at 559-675-4500 extension 295 at least 48 hours before the scheduled Personnel Commission meeting so that we may make every reasonable effort to accommodate you. (Government code 54954.2)



MADERA UNIFIED SCHOOL DISTRICT PERSONNEL COMMISSION

REGULAR MEETING AGENDA ITEM COVER PAGE

Meeting Date: September 18, 2019

Agenda Item:

Consideration to Approve the Eligibility Lists for: Accounting Technician III
Accounting Technician V, Information Systems Specialist, and Paraprofessional-Special Needs.

Agenda Placement:

Consent

Background:

Eligibility lists have been placed on the agenda as a consent item. If for some reason any Commissioner would like to remove a list, it can be done.

1. Accounting Technician III, 9.18.19
2. Accounting Technician V, 9.18.19
3. Information Systems Specialist, 9.18.19
4. Paraprofessional-Special Needs, 9.18.19

Recommendation:

It is recommended that the Personnel Commission approve the Eligibility lists as presented.



MADERA UNIFIED SCHOOL DISTRICT PERSONNEL COMMISSION

REGULAR MEETING AGENDA ITEM COVER PAGE

Meeting Date: September 18, 2019

Agenda Item:

Consideration to Approve the Minutes of the Regular Meeting for August 21, 2019.

Agenda Placement:

Consent

Background:

Approval of Minutes from the Regular Meeting of August 21, 2019.

Recommendation:

It is recommended that the Personnel Commission approve the Minutes from the Regular Meeting for August 21, 2019.

<p style="text-align: center;">Minute Record of MUSD Personnel Commission Meeting Regular Meeting held on Wednesday, August 21, 2019 at 4:30 PM</p>

The Personnel Commission of the Madera Unified School District convened a Regular Board Meeting in the District Office Boardroom, 1902 Howard Road, Madera, California on Wednesday, August 21, 2019 at 4:30 p.m.

Roll Call

Philip Janzen, Personnel Commission Chairperson
Bruce Koch, Personnel Commission Vice - Chair
Fran Wheat, Personnel Commissioner

Isabel Barreras, Director, Classified Human Resources
Sandra Edwards, Human Resources Specialist, Personnel Commission
Mary Siegl, Human Resources Specialist, Personnel Commission

Other visitors were in attendance.

1. 4:30 PM – Call to Order of Public Meeting – Closed Session Immediately Convened

- Chairperson Janzen called the meeting to order at 4:30 pm.
- There were no public comments made. Chairperson Janzen adjourned to Closed Session pursuant to Government Code Section 54957(b) (1).

2. Reconvene Public Session/Call to Order of Regular Meeting

3. Pledge of Allegiance, Opening and Acknowledgement of Visitors and Media

- Chairperson Janzen reconvened the Regular Meeting by calling the Public Session to order at 5:00 PM.
- Commissioner Wheat led the pledge of allegiance.

4. Closed Session Reportable Actions (Government Code Section 54957.1)

- Chairperson Janzen announced there were no Closed Session reportable actions.

5. Adoption of the Agenda

- It was moved by Vice-Chair Koch and seconded by Commissioner Wheat to approve the adoption of the agenda. MOTION NO. 07-2019/20.

Ayes: Commissioners Janzen, Koch Wheat
Noes: None
Absent: None
Abstained: None

6. Communications

- No public comments were made.

7. Adoption of the Consent Agenda

- It was moved by Vice – Chair Koch and seconded by Commissioner Wheat to approve the Consent Agenda. MOTION NO. 08-2019/20.

Ayes: Commissioners Janzen, Koch Wheat
Noes: None
Absent: None
Abstained: None

8. New Business

A. Discuss and approve new classified job description, Student Services Technician and Classified Salary Recommendation

- Director Barreras presented the new classified job description ,Student Services Technician and recommended a classified salary range of \$47,850 to \$59,037.67

It was moved by Commissioner Wheat and seconded by Vice- Chair Koch to approve the new classified job description of Student Services Technician and classified salary recommendation. MOTION NO. 09-2019/20, DOCUMENT NO. 03-2019/20.

Ayes: Commissioners Janzen, Koch Wheat
Noes: None
Absent: None
Abstained: None

B. Discuss and approve new classified job description, Child Welfare and Attendance Specialist and Classified Salary Recommendation

- Director Barreras presented the new job description and classified salary recommendation of \$47,696.33 to \$61,408.00

It was moved by Vice – Chair Koch and seconded by Commissioner Wheat to approve new classified job description Child Welfare and Attendance Specialist and Classified Salary Recommendation. MOTION NO. 10-2019/20, DOCUMENT NO. 04-2019/20.

Ayes: Commissioners Janzen, Koch Wheat
Noes: None
Absent: None
Abstained: None

C. Discuss and approve new classified job description, Child Welfare and Attendance Supervisor and Classified Supervisory Salary Recommendation

- Director Barreras presented the new job description and classified supervisory salary recommendation of \$84,68.33 to \$108,103.67

It was moved by Vice – Chair Koch and seconded by Commissioner Wheat to approve new classified supervisory job description Child Welfare and Attendance Specialist and Classified Supervisory Salary Recommendation. MOTION NO. 11-2019/20, DOCUMENT NO. 04-2019/20.

Ayes: Commissioners Janzen, Koch Wheat
Noes: None
Absent: None
Abstained: None

D. Discuss and approve the Professional Services Agreement for Hilda Montoy's |

Law Corporation

- Director Barreras discussed the new rate changes for Hilda Montoy's services. It was moved by Vice – Chair Koch and seconded by Commissioner Wheat to approve the new rate changes for Hilda Monty Law Corporation of \$250 per attorney hourly rate and \$110 paralegal hourly rate. MOTION NO. 12-2019/20

Ayes: Commissioners Janzen, Koch Wheat

Noes: None

Absent: None

Abstained: None

9. Information and Reports

A. Director's Report

Director Barreras updated the Personnel Commission that the Classified Professional Development Committee met earlier today and had a successful meeting. The mission and vision statement were created along with the goals of the committee. The committee selected the theme for the Classified Professional Development Conference – “It Starts with Us”. Other topics discussed at the Classified PDC meeting were E-Learning blended training for classified employees, employee of the month, and employee of the year and the development of workshops/trainings. Director Barreras will share more information about these topics at the next Personnel Commission Meeting.

The PC office continues to be busy with over 20 recruitments and vacancies to fill.

Director Barreras will begin working on the Personnel Commission Annual report and will present the report at the October Personnel Commission Meeting.

B. Commissioner's Report

No reports were presented.

10. Next Regular Personnel Commission Meeting

Wednesday, September 18, 2019 at 5:00 PM
Madera Unified District Office – Board Room
1902 Howard Road, Madera, CA 93637

11. Suggested Future Agenda Items

No suggestions were made.

12. Adjournment

Chairperson Janzen adjourned the Public Session at 5:14 PM.



Mary Siegl, Human Resources Specialist

Date: August 22, 2019



Isabel Barreras, Director of Classified HR

Date: August 22, 2019



MADERA UNIFIED SCHOOL DISTRICT PERSONNEL COMMISSION

REGULAR MEETING AGENDA ITEM COVER PAGE

Meeting Date: September 18, 2019

Agenda Item:

Discuss and approve new classified job description for Behavioral Intervention Technician and Classified Salary Recommendation.

Agenda Placement:

Action

Background:

The District Administration has presented the Personnel Commission with new duties for a classified position with the proposed title of Behavioral Intervention Technician within the Health and Wellness Department. This position was established for the purpose/s of assisting schools sites with social emotional and behavioral support by providing strategic services that identify and address the issues that interfere with the educational process. This position works with the principal or designee, teachers, students, parents, and community with a Multi-Tiered System of Support (MTSS) framework, to coordinate the identification and implementation of strategies for identified at-risk students exhibiting inappropriate or challenging behaviors and assists in meeting the behavioral, educational, and social emotional needs of students. This position reports to the Supervisor – Behavior Analyst.

This was done in accordance with Personnel Commission Rules 3.1.1, 3.2.1 thru 3.2.6 state that it is the responsibility of the Personnel Commission to classify duties of new or reorganized positions approved by the Board of Trustees.

Recommendation:

It is recommended that the Personnel Commission approve the new classified job description of Behavioral Intervention Technician and Classified Salary Recommendation of (\$38,529.00 - \$51,033.40).

MADERA UNIFIED SCHOOL DISTRICT

JOB DESCRIPTION

Position: Behavioral Intervention Technician

Classification: Classified

Department/Site: Health and Wellness

Salary Schedule: Classified

Reports to: Supervisor – Behavior Analyst

Salary Range:

FLSA: Non-exempt

PURPOSE STATEMENT

Under general direction, the position was established for the purpose/s of assisting schools sites with social emotional and behavioral support by providing strategic services that identify and address the issues that interfere with the educational process. This position works with the principal or designee, teachers, students, parents, and community with a Multi-Tiered System of Support (MTSS) framework, to coordinate the identification and implementation of strategies for identified at-risk students exhibiting inappropriate or challenging behaviors and assists in meeting the behavioral, educational, and social emotional needs of students.

ESSENTIAL FUNCTIONS

- Establishes rapport and meaningful relationships with referred children (caseload) to reduce their dysfunctional behavioral in and out of the classroom: to improve their behavior, educational performance, and social relationships.
- Assists the Behavioral Analyst in the development and implementation of positive behavior intervention plans aligned to evidence based practices (i.e. Applied Behavior Analysis (ABA), Crisis Prevention Institute (CPI), Discrete Trial Training (DTT) and/or other evidence-based methodologies related to addressing the needs of students that are experiencing behavior difficulties.
- Assists with communication for school staff to share information pertaining to instructional strategies, applied behavioral strategies, and interventions developed by the Behavioral Analyst.
- Provides teachers support (coaching and modeling) implementing positive interventions strategies for students; model identified behavior techniques and reinforcement strategies.
- Assists students in class, both individually and group settings, to manage their own personal behaviors.
- Establishes collaborative relationships with teachers, administrators, outside mental health agencies, community groups, and families.
- Uses conversation, group discussions, tutorials, behavior management techniques, and other approaches to achieve prescribed goals with individual children experiencing school adaptation problems of a behavioral and/or educational nature.
- Participates as a positive team member for the purpose of enhancing and sharing knowledge and skills for the delivery of best practices.
- Collects data for the purpose of ongoing behavior intervention planning and review.
- Coordinates and maintains a productive daily schedule for completing reports, on-site support activities, behavior intervention plan implementation, and other duties.
- Supports Functional Behavior Assessment/Behavior Support Plan data collection.
- Provides progress monitoring for identified students.
- Conducts interviews and observations as needed.
- Maintains confidentiality and makes a clear distinction between public and confidential information.

- Observes and assists in emergencies involving aggressive or uncontrolled behavior of identified students according to approved CPI (Crisis Prevention Intervention) procedures as trained.
- Reports progress regarding student performance and behavior to assist students to achieve their personal best.
- Participates in ongoing in-service instructional workshops and other training sessions as provided.
- Attends meetings and professional development as required.

OTHER FUNCTIONS

- Performs other duties as assigned which are related, or logical in assignment to the position.

KNOWLEDGE, SKILLS AND ABILITIES

Knowledge of:

- Basic concepts of child growth and development
- Behavior management strategies and techniques relating to pupils who experience frequent maladaptive behaviors
- Accurate record-keeping techniques
- Operation of a computer and data entry techniques
- Routine record keeping and data collection techniques, methods and techniques of data analysis
- Interpersonal skills using tact, patience and courtesy

Skills and Abilities to:

- Read, write and speak English proficiently
- Demonstrate understanding, patience, and receptive attitude toward students of varied age groups
- Model appropriate behavioral interventions and provide support to other staff members
- Learn behavior intervention strategies and procedures such as identifying antecedents and consequences of behavior
- Establish and maintain cooperative and effective working relationships with a diverse range of people
- Communicate effectively, both orally and in writing
- Meet schedules and timelines
- Operate a computer terminal to enter data, maintain records
- Learn new or updated computer systems/programs to apply to current work.
- Actively participate in meeting District goals and outcomes.
- Apply integrity and trust in all situations.
- Learn district organization, operations, procedures, policies, objectives and goals.

RESPONSIBILITY

Responsibilities include; working under limited supervision following standardized practices and/or methods; providing information and /or advising others; and operating within a defined budget. Utilization of some resource from other work units is often required to perform the job's functions. There is a continual opportunity to affect the organization's services.

WORKING ENVIRONMENT

The usual and customary methods of performing the job's functions require the following physical demands; some lifting, carrying, pushing, and/or pulling; some climbing and balancing; some stooping, kneeling, crouching, and/or crawling; and significant fine finger dexterity. Generally the job requires 10% sitting, 50% walking, and 40% standing; the job is performed in a generally hazard free environment and in a clean atmosphere.

MINIMUM QUALIFICATIONS

Experience:

One or more years of experience working with children that exhibit inappropriate or explosive behavior.

Education:

High school diploma or equivalent.

AND

Completion of forty-eight units from a nationally accredited college or university, or A.A. degree or higher, or passage of a local assessment test that meets the standards of Every Student Succeeds Act (ESSA).

Possession of, or ability and qualification to obtain Nonviolent Crisis Preventative (CPI) certification listed below, and First Aid/CPR Certificate within six months of appointment, and failure to do so will result in termination.

Required Testing:

- Pre-employment Proficiency
- Pre-employment Physical Exam

Continuing Education/Training

- Maintain as needed

Certificates/Licenses

- Valid CDL
- Valid First Aid/CPR Certificate
- Nonviolent Crisis Preventive Intervention (CPI)

Clearances

- DOJ/FBI Background
- TB Clearance
- Physical Demand (B)

BEHAVIORAL INTERVENTION TECHNICIAN

Districts	SALARY (low to high)	
Pajaro Valley Unified School District	\$36,212	\$46,222
Tulare County Office of Education	\$35,233	\$42,680
Milpitas Unified School District	\$38,225	\$46,618
Fairfield Unified School District	\$34,012	\$50,743
Los Altos Unified School District	\$48,963	\$68,904
Total Combined:	\$192,645	\$255,167
Total Districts (5)	5	5
Average of total combined divided by the total Districts:	\$38,529.00	\$51,033.40



MADERA UNIFIED SCHOOL DISTRICT PERSONNEL COMMISSION

REGULAR MEETING AGENDA ITEM COVER PAGE

Meeting Date: September 18, 2019

Agenda Item:

Discuss and approve new classified job description for Supervisor – Behavior Analyst and Classified Supervisory Salary Recommendation.

Agenda Placement:

Action

Background:

The District Administration has presented the Personnel Commission with new duties for a classified supervisory position with the proposed title of Supervisor – Behavior Analyst. This is part of the reorganization within the Health and Wellness Department. This position will provide direct services and consultation to students, staff and parents/guardians in order to provide support and professional learning in appropriate behavior intervention techniques. Provide positive ways for working successfully with students who have difficulties conforming to acceptable behavioral patterns; provide analysis services and behavior management plans for students; conducts assessment and plans that conforms to applicable California statutes and regulations; supervises and directs Behavior Intervention Technicians.

This was done in accordance with Personnel Commission Rules 3.1.1, 3.2.1 thru 3.2.6 state that it is the responsibility of the Personnel Commission to classify duties of new or reorganized positions approved by the Board of Trustees.

Recommendation:

It is recommended that the Personnel Commission approve the new classified job description of Supervisor – Behavior Analyst and Classified Supervisory Salary Recommendation of (\$94, 185.25 - \$110,723.00).

MADERA UNIFIED SCHOOL DISTRICT

JOB DESCRIPTION

Position: Supervisor - Behavior Analyst

Classification: Classified Supervisory

Department/Site: Health and Wellness

Salary Schedule: Supervisory

Reports to: Director of Health and Wellness

Salary Range:

FLSA: Exempt

PURPOSE STATEMENT

Under general direction, this position will provide direct services and consultation to students, staff and parents/guardians in order to provide support and professional learning in appropriate behavior intervention techniques. Provide positive ways for working successfully with students who have difficulties conforming to acceptable behavioral patterns; provide analysis services and behavior management plans for students; conducts assessment and plans that conforms to applicable California statutes and regulations; supervises and directs Behavior Intervention Technicians.

ESSENTIAL FUNCTIONS

- Conducts functional behavioral analyses and functional analysis assessments for individual students.
- Develops materials and provide resources and professional learning to administrators, educators, paraprofessionals and parent/guardians in Applied Behavior Analysis (ABA), Crisis Prevention Institute (CPI), Discrete Trial Training (DTT) and/or other evidence-based methodologies related to addressing the needs of students that are experiencing behavioral difficulties.
- Participates in the planning of the development and implementation of programs, policies, and best practices related to instruction using the principles of Applied Behavior Analysis (ABA).
- Responds to crisis situations when appropriate, manage assaultive behaviors, e.g., Nonviolent Crisis Intervention (CPI).
- Provides training for teachers, paraprofessionals, and other staff on behavioral analysis, data collection and effective practices regarding positive behavior support, and work with students who exhibit inappropriate behaviors.
- Plans, organizes and directs Behavior Intervention (s) in compliance with district, state and federal guidelines.
- Trains, supervises, and evaluates assigned staff: interviews and select employees.
- Keeps abreast of current research and information in the areas of behavior management and provide in-service and training for teachers, specialist, paraprofessionals and other staff in areas related to behavior management strategies, avoidance of aversive techniques, and managing assaultive behaviors.
- Provides technical assistance in service tracking of behavioral support services so that services are accurately documented.
- Provides technical assistance regarding the integration of positive behavior supports in all instructional initiatives.
- Collects data and prepare a variety of reports for the purpose of documenting case history, assessments and collecting and analyzing behavioral progress monitoring data.
- Travels from site to site, work schedule will need to be flexible and/or performs necessary home visits for providing direct treatment, consultation and collaboration for students and families.

OTHER FUNCTIONS

- Performs other duties as assigned which are related, or logical in assignment to the position.

KNOWLEDGE, SKILLS AND ABILITIES

Knowledge of:

- Basic principles of child behavior and development
- Basic concepts of child growth and development
- Developmental behavior characteristics
- Behavior management strategies and techniques relating to pupils who experience frequent maladaptive behaviors
- Accurate record-keeping techniques
- Operation of a computer and data entry techniques
- Routine record keeping and data collection techniques, methods and techniques of data analysis
- Interpersonal skills using tact, patience and courtesy

Skills and Abilities to:

- Schedule and supervise Behavior Intervention Technician(s).
- Demonstrate understanding, patience, and receptive attitude toward students of varied age groups
- Model appropriate behavioral interventions and provide support to other staff members
- Learn behavior intervention strategies and procedures such as identifying antecedents and consequences of behavior
- Establish and maintain cooperative and effective working relationships with a diverse range of people
- Modify instruction techniques or methods to meet the needs of the students
- Communicate effectively, both orally and in writing
- Meet schedules and timelines
- Operate a computer terminal to enter data, maintain records and generate reports
- Learn new or updated computer systems/programs to apply to current work.
- Communicate using patience and courtesy in manner that reflects positively on the organization.
- Actively participate in meeting District goals and outcomes.
- Apply integrity and trust in all situations.
- Learn district organization, operations, procedures, policies, objectives and goals.

RESPONSIBILITY

Responsibilities include; working under limited supervision following standardized practices and/or methods; providing information and /or advising others; and operating within a defined budget. Utilization of some resource from other work units is often required to perform the job's functions. There is a continual opportunity to affect the organization's services.

WORKING ENVIRONMENT

The usual and customary methods of performing the job's functions require the following physical demands; some lifting, carrying, pushing, and/or pulling; some climbing and balancing; some stooping, kneeling, crouching, and/or crawling; and significant fine finger dexterity. Generally the job requires 10% sitting, 50% walking, and 40% standing; the job is performed in a generally hazard free environment and in a clean atmosphere.

MINIMUM QUALIFICATIONS

Experience: Three years of experience in completing comprehensive functional behavior assessments and behavior support plans, which includes supervisory experience, and serving individuals that exhibit inappropriate behavior or explosive behaviors.

Education:

Masters' degree from an accredited university and/or college with major coursework in Human Services, Psychology or in a related field is required.

Required Testing:

- Pre-employment Proficiency Test

Continuing Education/Training

- Maintain as needed

Certificates/Licenses

- Valid CDL
- DOJ/FBI Background Clearance
- Board Certified Behavior Analyst (BCBA)
- Nonviolent Crisis Preventive Intervention (CPI)

Clearances

- DOJ/FBI Background
- TB Clearance

Supervisor-Behavior Analyst

Districts	SALARY (low to high)	
Madera County Superintendent of Schools	\$80,560	\$93,257
Tulare County Office of Education	\$94,507	\$116,231
Fresno County Superintendent of Schools	\$103,824	\$114,466
Madera County	\$97,850	\$118,938
Total Combined:	\$376,741	\$442,892
Total Districts (4)	4	4
Average of total combined divided by the total Districts:	\$94,185.25	\$110,723.00



MADERA UNIFIED SCHOOL DISTRICT PERSONNEL COMMISSION

REGULAR MEETING AGENDA ITEM COVER PAGE

Meeting Date: September 18, 2019

Agenda Item:

Discuss and approve the revised classified supervisory job description for Child Welfare and Attendance Supervisor.

Agenda Placement:

Action

Background:

The District Administration is requesting that the Personnel Commission revise the Education section listed under the minimum qualifications for the Child Welfare and Attendance Supervisor. The Board of Trustees made this request at the last board meeting. The revision is to add under Education; Master's degree in a related field is preferred.

Recommendation:

It is recommended that the Personnel Commission approve the revised classified supervisory job description of Child Welfare and Attendance Supervisor as presented.

MADERA UNIFIED SCHOOL DISTRICT**JOB DESCRIPTION**

Position:	Child Welfare and Attendance Supervisor	Classification:	Classified Supervisory
Department/Site:	Student Services	Salary Schedule:	Supervisory
Reports to:	Director of Student Services	Salary Range:	
		FLSA:	Exempt

PURPOSE STATEMENT

The purpose of Child Welfare and Attendance Supervisor is to ensure that district wide processes and procedures are integrated and implemented consistently in the area of school attendance. This position is accountable for improving student achievement through effective management of target area; enforce the compulsory school attendance laws as provided in the California Education Code and assist students to stay in school and on target to graduate. This includes planning, organizing, implementing, and promoting services throughout the District that maximize student attendance and welfare and minimize truancy dropout rates. Provides professional training, consulting, and support to school site administrators and staff who monitor and are accountable for positive attendance.

ESSENTIAL FUNCTIONS

- Establishes and implements a comprehensive (SARB) School Attendance Review Board process that includes site-level fact findings, hearings, and action plans, to promote high academic programs, standards, and expectations for student performance.
- Plans, develops, and implements multi-level training for site administrators and staff on maximizing attendance and (SARB) School Attendance Review Board proceedings. Ensures that school sites implement positive attendance programs and progressive SARB proceedings.
- Presides over District SARB proceedings, and trains SARB members in rules, documentation and due process.
- Supervises and provide day-to-day personnel management of staff assigned to Child Welfare and Attendance. Plans and directs programs and ensures compliance with District, State and Federal regulations and ensures compliance with legal timelines.
- Consults with, and assist site administrators, Curriculum and Program Specialist with the design of and/or approaches to curriculum that encourages attendance and re-entry to mainstream schools.
- Coordinates professional development for District staff related to attendance policies and procedures for ensuring that staff are up-to date on current, local state and federal legislation and policy interpretation.
- Represents the District for County Truancy Mediation Hearings.
- Serves as the District liaison to committee/educational memberships that focus on at-risk student interventions, emotional wellness, student suspensions, substance and child abuse, parental involvement and crisis interventions.
- Organizes trainings needed related to attendance accounting procedures.
- Works in close cooperation with other public agencies such as the District Attorney, Probation Department, Police and Sheriff's Departments and other community-based organizations.
- Directs administrative processes such as, but not limited to work assignments for home and school liaison workers, homeless and other programs.
- Ensures quality school-to-community relationships. Maintains proactive contacts with community based groups, parent concerns and establishes communication forums for parents, students, and community-based public and social service agencies.
- Directs home visitations, and visits homes of students with attendance problems.

REVISED

- Directs and participates in preparation of a variety of externally mandated and internal performance reports for providing updates to District leadership.
- Coordinates and oversees district level responsibilities around site registration processes.

OTHER FUNCTIONS

- Performs other duties as assigned which are related, or logical in assignment to the position.

KNOWLEDGE, SKILLS AND ABILITIES

Knowledge of:

- Laws, principles, codes, policies and procedures related to minors with special expertise in attendance.
- Techniques to minimize and resolve conflict.
- Maintaining confidential records and files.
- Special Projects related to attendance and at risk youths.
- Counseling techniques to assist students and families in crisis.
- Personnel processes.
- Concepts of grammar and punctuation.
- Community resources.

Skills and Abilities to:

- Communicate clearly with students, parents, law enforcement, social service agency representatives, and district staff.
- Apply laws, policies, and procedures in a fair, consistent manner.
- Contribute to the successful fulfillment of the District Mission.
- Learn and appropriately apply district policies and procedures and other regulation related to the position.
- Maintain appropriate confidentiality about the status of staff, students, school, and district activities.
- Operate calculator, computer and data entry terminal.
- Apply current technology to assigned duties.
- Communicate effectively, both orally and in writing.
- Communicate with diverse groups and individuals.
- Prioritize work by meeting deadlines and schedules.
- Working as part of a team.
- Work with detailed information/data.
- Exercise tact and diplomacy in dealing with sensitive, complex and confidential issues and situations.
- Establish and maintain effective working relationships with all those encountered in the course of work.

RESPONSIBILITY

Responsibilities include; working under limited supervision following standardized practices and/or methods; providing information and /or advising others; and operating within a defined budget. Utilization of some resource from other work units is often required to perform the job's functions. There is a continual opportunity to affect the organization's services.

WORKING ENVIRONMENT

The usual and customary methods of performing the job's functions require the following physical demands; some lifting, carrying, pushing, and/or pulling; some climbing and balancing; some stooping, kneeling, crouching, and/or crawling; and

REVISED

significant fine finger dexterity. Generally the job requires 80% sitting, 10% walking, and 10% standing; the job is performed in a generally hazard free environment and in a clean atmosphere.

MINIMUM QUALIFICATIONS

Experience:

Three years of directly related and progressive experience in Child Welfare/Attendance or two years of Administrative and/ or Pupil Personnel services experience in a specified field with supervisory experience.

Education:

Bachelor's degree from an accredited university in one of the following: Social Science, Educational Psychology or related field.

OR: Master's degree in a related field is preferred.

Required Testing:

- Pre-employment Proficiency

Continuing Education/Training

- Maintain as needed

Certificates/Licenses

- Valid CDL

Clearances

- DOJ/FBI Background
- TB Clearance



MADERA UNIFIED SCHOOL DISTRICT PERSONNEL COMMISSION

REGULAR MEETING AGENDA ITEM COVER PAGE

Meeting Date: September 18, 2019

Agenda Item:

Discuss and approve the revised classified job description for Head Custodian I.

Agenda Placement:

Action

Background:

District administration has recommended a change to the job description of Head Custodian I. In reviewing the job description: minor changes have been made under the area of Experience. The change is from one year to three years of work experience as a school custodian. This change will help recruit a better pool of applicants with more custodial experience.

This was done in accordance with Personnel Commission Rules 3.2.3. and 3.2.3.5, Class Specification and changes to the minimum qualifications.

Recommendation:

It is recommended that revised classified job description be approved as presented.

MADERA UNIFIED SCHOOL DISTRICT

JOB DESCRIPTION

Position: Head Custodian I

Classification: Classified

Department/Site: Maintenance Department

Salary Schedule: Classified

Reports to: Supervisor - Maintenance

Salary Range:

FLSA: Non-exempt

PURPOSE STATEMENT

Under general direction, the purpose of this position is to provide support to the educational process by providing leadership in custodial services at assigned sites. To ensure an attractive, sanitary and safe environment for students, staff and visitors by performing a variety of special cleaning operations. Overseeing the preparation of facilities for classroom activities and campus events, overseeing and supporting assigned custodians in the performance of their assignments and ensuring that assignments are completed in a safe, proper and timely manner.

This job is distinguished from similar jobs by the following characteristics; this position is at a smaller, Elementary school campus/small K-8th School/ Alternative Ed/ or Middle-school with fewer or no custodians to supervise and less square footage responsibilities than the campus of a Head Custodian II.

ESSENTIAL FUNCTIONS

- Completes all responsibilities of the custodian in a manner that sets the standard of quality at the site for maintaining a sanitary, safe and attractive environment.
- Conducts a variety of training and drills with students and staff (e.g. fire, intruder, earthquake, health and safety, etc.) for ensuring that emergency procedures are in order, alarm systems are operational and /or established procedures are effective.
- Consults with administrative personnel for the purpose of planning, prioritizing and scheduling custodial activities and achieving site maintenance objectives.
- Inspects facilities for ensuring that the site is suitable for safe operations, maintained in an attractive and clean condition, identifying necessary repairs to facilities and/or equipment.
- Oversees facility maintenance activities and assigned custodial personnel for the purpose of ensuring functions are performed efficiently in compliance with site requirements and established standards.
- Participates in meetings, workshops, trainings, and seminars for the purpose of conveying and/or gathering information required to perform job functions.
- Prepares athletic fields/courts (e.g. chalking, paint stripping, etc.) for providing adequate, attractive and safe areas for athletic events.
- Prepares site for daily operations (e.g. opening gates, raising flags, sweeping walkway, etc.) for ensuring facilities are operational and hazard free.
- Prepares written materials (e.g. supply requisitions, safety inspections, work orders, inventory records, timesheets, etc.) for the purpose of documenting activities and/or relating activities to administration for action.
- Requisitions equipment, supplies and materials for maintaining availability of required items and completing jobs efficiently.
- Responds to immediate safety and/or operational concern (e.g. facility damage, vandalism, alarms, etc.) for the purpose of taking appropriate action or notifying appropriate personnel for resolution.
- Trains assigned personnel for developing professional trade and safety awareness skills.

OTHER FUNCTIONS

- Performs other duties as assigned which are related, or logical in assignment to the position.

KNOWLEDGE, SKILLS AND ABILITIES

Knowledge of:

- Perform basic math, including calculations using fractions, percent's, and/ or ratios.
- Read a variety of manuals; write documents following prescribed formats, and /or present information to others.
- Understand complex, multi-step written and oral instruction.
- Methods of efficient industrial cleaning including floor and carpet.
- Basic tools for minor repairs.
- Use and care of supplies and equipment.
- Safety practices and procedures.

Skills and Abilities to:

- Operating equipment and materials used in industrial maintenance.
- Adhering to safety practices.
- Preparing and maintaining accurate records.
- Must work with others in a variety of circumstances.
- Operate equipment-using variety of data and utilize.
- Problem solving may be required to identify issues and select action plan.
- Read, write, speak and understand English, follow verbal and written directions.
- Adapt to changing work priorities
- Meet schedules and timelines, plan and organize work.
- Work confidentially with discretion, work independently with minimal supervision.
- Work flexible hours.
- Establish and maintain effective working relationships with all those encountered in the course of work.
- Analyze situations accurately, adopt an effective course of action or improve procedures.

RESPONSIBILITY

Responsibilities include; working under limited supervision following standardized practices and/or methods; providing information and /or advising others; and operating within a defined budget. Utilization of some resource from other work units is often required to perform the job's functions. There is a continual opportunity to affect the organization's services.

WORKING ENVIRONMENT

The usual and customary methods of performing the job's functions require the following physical demands; some lifting, carrying, pushing, and/or pulling; some climbing and balancing; some stooping, kneeling, crouching, and/or crawling; and significant fine finger dexterity. Generally the job requires 5% sitting, 75% walking, and 20% standing; the job is performed in a generally hazard free environment and in a clean atmosphere.

MINIMUM QUALIFICATIONS

Experience:

~~One~~ **Three years experience** of ~~paid experience performing a variety of cleaning operations~~ as a school custodian.

Education:

High school diploma or equivalent.

Required Testing:

- Pre-employment Proficiency
- Pre-employment Physical Exam

Continuing Education/Training

- Maintain as needed

Clearances/Certificates/Licenses

- DOJ/FBI Background Clearance
- TB Clearance
- Physical Demand (C)
- Valid CDL



MADERA UNIFIED SCHOOL DISTRICT PERSONNEL COMMISSION

REGULAR MEETING AGENDA ITEM COVER PAGE

Meeting Date: September 18, 2019

Agenda Item:

Discuss and approve the revised classified job description for Head Custodian II.

Agenda Placement:

Action

Background:

District administration has recommended a change to the job description of Head Custodian II. In reviewing the job description: minor changes have been made under the area of Experience. The change is from one year to three years of work experience as a school Head Custodian. This change will help recruit a better pool of applicants with more head custodial experience.

This was done in accordance with Personnel Commission Rules 3.2.3. and 3.2.3.5, Class Specification and changes to the minimum qualifications.

Recommendation:

It is recommended that revised classified job description be approved as presented.

MADERA UNIFIED SCHOOL DISTRICT

JOB DESCRIPTION

Position: Head Custodian II
Department/Site: Maintenance Department
Reports to: Supervisor - Maintenance

Classification: Classified
Salary Schedule: Classified
Salary Range:
FLSA: Non-exempt

PURPOSE STATEMENT

Under general direction, the purpose of this position is to provide support to the educational process by providing leadership in custodial services at assigned sites. To ensure an attractive, sanitary and safe environment for students, staff and visitors by performing a variety of special cleaning operations. Overseeing the preparation of facilities for classroom activities and campus events, overseeing and supporting assigned custodians in the performance of their assignments and ensuring that assignments are completed in a safe, proper and timely manner.

This job is distinguished from similar jobs by the following characteristics; this assignment is at a High school campus with more supervision of personnel and more square footage responsibilities than Head Custodian I.

ESSENTIAL FUNCTIONS

- Completes all responsibilities of the custodian in a manner that sets the standard of quality at the site for maintaining a sanitary, safe and attractive environment.
- Conducts a variety of training and drills with students and staff (e.g. fire, intruder, earthquake, health and safety, etc.) for ensuring that emergency procedures are in order, alarm systems are operational and /or established procedures are effective.
- Consults with administrative personnel for the purpose of planning, prioritizing and scheduling custodial activities and achieving site maintenance objectives.
- Inspects facilities for ensuring that the site is suitable for safe operations, maintained in an attractive and clean condition, identifying necessary repairs to facilities and/or equipment.
- Oversees facility maintenance activities and assigned custodial personnel for the purpose of ensuring functions are performed efficiently in compliance with site requirements and established standards.
- Participates in meetings, workshops, trainings, and seminars for the purpose of conveying and/or gathering information required to perform job functions.
- Prepares site for daily operations (e.g. opening gates, raising flags, sweeping walkway, etc. for ensuring facilities are operational and hazard free.
- Prepares written materials (e.g. supply requisitions, safety inspections, work orders, inventory records, time-sheets, etc.) for the purpose of documenting activities and/or relating activities to administration for action.
- Requisitions equipment, supplies and materials for the purpose of maintaining availability of required items and completing jobs efficiently.
- Responds to immediate safety and/or operational concern (e.g. facility damage, vandalism, alarms, etc.) for the purpose of taking appropriate action or notifying appropriate personnel for resolution.
- Trains assigned personnel for developing professional trade and safety awareness skills.

OTHER FUNCTIONS

- Performs other duties as assigned which are related, or logical in assignment to the position.

KNOWLEDGE, SKILLS AND ABILITIES

Knowledge of:

- Perform basic math, including calculations using fractions, percent's, and/ or ratios.
- Read a variety of manuals; write documents following prescribed formats, and /or present information to others.
- Understand complex, multi-step written and oral instruction.
- Methods of efficient industrial cleaning including floor and carpet.
- Basic tools for minor repairs.
- Use and care of supplies and equipment.
- Safety practices and procedures.

Skills and Abilities to:

- Operating equipment and materials used in industrial maintenance.
- Adhering to safety practices.
- Preparing and maintaining accurate records.
- Must work with others in a variety of circumstances.
- Operate equipment-using variety of data and utilize.
- Problem solving may be required to identify issues and select action plan.
- Read, write, speak and understand English, follow verbal and written directions.
- Adapt to changing work priorities
- Meet schedules and timelines, plan and organize work.
- Work confidentially with discretion, work independently with minimal supervision.
- Work flexible hours.
- Establish and maintain effective working relationships with all those encountered in the course of work.
- Analyze situations accurately, adopt an effective course of action or improve procedures.

RESPONSIBILITY

Responsibilities include; working under limited supervision following standardized practices and/or methods; providing information and /or advising others; and operating within a defined budget. Utilization of some resource from other work units is often required to perform the job's functions. There is a continual opportunity to affect the organization's services.

WORKING ENVIRONMENT

The usual and customary methods of performing the job's functions require the following physical demands; some lifting, carrying, pushing, and/or pulling; some climbing and balancing; some stooping, kneeling, crouching, and/or crawling; and significant fine finger dexterity. Generally the job requires 5% sitting, 75% walking, and 20% standing; the job is performed in a generally hazard free environment and in a clean atmosphere.

MINIMUM QUALIFICATIONS

Experience:

~~One~~ **Three years experience** of ~~paid experience performing a variety of cleaning operations as a school~~ **as a school Head Custodian.**

Education:

High school diploma or equivalent.

Required Testing:

- Pre-employment Proficiency
- Pre-employment Physical Exam

Continuing Education/Training

- Maintain as needed

Clearances/Certificates/Licenses

- DOJ/FBI Background Clearance
- TB Clearance
- Physical Demand (C)
- Valid CDL



MADERA UNIFIED SCHOOL DISTRICT PERSONNEL COMMISSION

REGULAR MEETING AGENDA ITEM COVER PAGE

Meeting Date: September 18, 2019

Agenda Item:

Discuss and approve the revised classified job description for Head Custodian III.

Agenda Placement:

Action

Background:

District administration has recommended a change to the job description of Head Custodian III. In reviewing the job description: minor changes have been made under the area of Experience. The change is from one year to five years of work experience as a school Head Custodian. This change will help recruit a better pool of applicants with more head custodial experience.

This was done in accordance with Personnel Commission Rules 3.2.3. and 3.2.3.5, Class Specification and changes to the minimum qualifications.

Recommendation:

It is recommended that revised classified job description be approved as presented.

MADERA UNIFIED SCHOOL DISTRICT

JOB DESCRIPTION

Position:	Head Custodian III	Classification:	Classified
Department/Site:	Maintenance Department	Salary Schedule:	Classified
Reports to:	Director of Maintenance and Operations	Salary Range:	
		FLSA:	Non-exempt

PURPOSE STATEMENT

Under general direction, the purpose of this position is to provide support to the educational process by providing leadership in custodial services at assigned sites. To ensure an attractive, sanitary and safe environment for students, staff and visitors by performing a variety of special cleaning operations. Overseeing the preparation of facilities for classroom activities and campus events, overseeing and supporting assigned custodians in the performance of their assignments and ensuring that assignments are completed in a safe, proper and timely manner.

This job is distinguished from similar jobs by the following characteristics; this assignment is a district night roving position, with more personnel to supervise and more square footage responsibilities.

ESSENTIAL FUNCTIONS

- Completes all responsibilities of the custodian in a manner that sets the standard of quality at the site for maintaining a sanitary, safe and attractive environment.
- Conducts a variety of training and drills with students and staff (e.g. fire, intruder, earthquake, health and safety, etc.) for ensuring that emergency procedures are in order, alarm systems are operational and /or established procedures are effective.
- Consults with administrative personnel for the purpose of planning, prioritizing and scheduling custodial activities and achieving site maintenance objectives.
- Inspects facilities for ensuring that the site is suitable for safe operations, maintained in an attractive and clean condition, identifying necessary repairs to facilities and/or equipment.
- Oversees facility maintenance activities and assigned custodial personnel for the purpose of ensuring functions are performed efficiently in compliance with site requirements and established standards.
- Participates in meetings, workshops, trainings, and seminars for the purpose of conveying and/or gathering information required to perform job functions.
- Prepares athletic fields/courts (e.g. chalking, paint stripping, etc.) for providing adequate, attractive and safe areas for athletic events.
- Prepares site for daily operations (e.g. opening gates, raising flags, sweeping walkway, etc. for the purpose ensuring facilities are operational and hazard free.
- Prepares written materials (e.g. supply requisitions, safety inspections, work orders, inventory records, time sheets, etc.) for the purpose of documenting activities and/or relating activities to administration for action.
- Requisitions equipment, supplies and materials for maintaining availability of required items and completing jobs efficiently.
- Responds to immediate safety and/or operational concern (e.g. facility damage, vandalism, alarms, etc.) for the purpose of taking appropriate action or notifying appropriate personnel for resolution.
- Trains assigned personnel for developing professional trade and safety awareness skills.

OTHER FUNCTIONS

- Performs other duties as assigned which are related, or logical in assignment to the position.

KNOWLEDGE, SKILLS AND ABILITIES

Knowledge of:

- Perform basic math, including calculations using fractions, percent's, and/ or ratios.
- Read a variety of manuals; write documents following prescribed formats, and /or present information to others.
- Understand complex, multi-step written and oral instruction.
- Methods of efficient industrial cleaning including floor and carpet.
- Basic tools for minor repairs.
- Use and care of supplies and equipment.
- Safety practices and procedures.

Skills and Abilities to:

- Operating equipment and materials used in industrial maintenance.
- Adhering to safety practices.
- Preparing and maintaining accurate records.
- Must work with others in a variety of circumstances.
- Operate equipment-using variety of data and utilize.
- Problem solving may be required to identify issues and select action plan.
- Read, write, speak and understand English, follow verbal and written directions.
- Adapt to changing work priorities
- Meet schedules and timelines, plan and organize work.
- Work confidentially with discretion, work independently with minimal supervision.
- Work flexible hours.
- Establish and maintain effective working relationships with all those encountered in the course of work.
- Analyze situations accurately, adopt an effective course of action or improve procedures.

RESPONSIBILITY

Responsibilities include; working under limited supervision following standardized practices and/or methods; providing information and /or advising others; and operating within a defined budget. Utilization of some resource from other work units is often required to perform the job's functions. There is a continual opportunity to affect the organization's services.

WORKING ENVIRONMENT

The usual and customary methods of performing the job's functions require the following physical demands; some lifting, carrying, pushing, and/or pulling; some climbing and balancing; some stooping, kneeling, crouching, and/or crawling; and significant fine finger dexterity. Generally the job requires 5% sitting, 75% walking, and 20% standing; the job is performed in a generally hazard free environment and in a clean atmosphere.

MINIMUM QUALIFICATIONS

Experience:

~~One~~ **Five years experience** of ~~paid experience performing a variety of cleaning operations as a school~~ **as a school Head Custodian.**

Education:

High school diploma or equivalent.

Required Testing:

- Pre-employment Proficiency
- Pre-employment Physical Exam

Continuing Education/Training

- Maintain as needed

Clearances/Certificates/Licenses

- DOJ/FBI Background Clearance
- TB Clearance
- Physical Demand (C)
- Valid CDL



MADERA UNIFIED SCHOOL DISTRICT PERSONNEL COMMISSION

REGULAR MEETING AGENDA ITEM COVER PAGE

Meeting Date: September 18, 2019

Agenda Item:

Discuss and approve the Professional Services Agreement for Liebert Cassidy Whitmore law firm.

Agenda Placement:

Action

Background:

Professional Services Agreement for Liebert Cassidy Whitmore law firm to provide services on an as needed basis in the event there is conflict of interest with the District's legal counsel law firm. The Professional Services Agreement is attached.

Recommendation:

It is recommended that the Personnel Commission review approve and authorize Isabel Barreras to sign into agreement with Liebert Cassidy Whitmore law firm.

AGREEMENT FOR SPECIAL SERVICES

This Agreement is entered into between the law firm of LIEBERT CASSIDY WHITMORE, A Professional Corporation (“Attorney”), and the MADERA UNIFIED SCHOOL DISTRICT (“District”).

1. Conditions

This Agreement will not take effect, and Attorney will have no obligation to provide services, until District returns a properly signed and executed copy of this Agreement.

2. Attorney’s Services

Attorney agrees to provide District with consulting, representational and legal services pertaining to employment relations matters and school law matters, including representation in negotiations and in administrative and court proceedings, as requested by District or otherwise required by law.

3. Fees, Costs, Expenses

District agrees to pay Attorney the sums billed monthly for time spent by Attorney in providing the services, including reasonable travel time.

The current range of hourly rates for Attorney time is from Two Hundred Ten to Three Hundred Thirty Five-Dollars (\$210.00 - \$335.00). See Schedule I for a full Fee Schedule. Attorney reviews its hourly rates on an annual basis and, if appropriate, adjusts them effective July 1. Attorney will provide the District with written notification of any adjustment in the range of rates. Attorney bills its time in minimum units of one-tenth of an hour.

For Litigation Matters

See Schedule II attached for a description of Attorney's Litigation and E-Discovery Management.

Other Expenses

District agrees to reimburse Attorney for necessary costs and expenses incurred by Attorney on behalf of District. Attorney bills photocopying charges at Fifteen Cents (\$0.15) per page and facsimile charges at Twenty-Five Cents (\$0.25) per page. See Schedule I attached.

Payment by District against monthly billings is due upon receipt of statements, and is considered delinquent if payment is not received within thirty (30) days of the date of the invoice.

4. Professional Liability Insurance

The California Business & Professions Code requires us to inform you whether we maintain errors and omissions insurance coverage applicable to the services to be rendered to you. We hereby confirm that the firm does maintain such insurance coverage.

5. Arbitration of Professional Liability or Other Claims

Disputes. If a dispute between District and Attorney arises over fees charged for services, the controversy will be submitted to binding arbitration in accordance with the rules of the California State Bar Fee Arbitration Program, set forth in California Business and Professions Code, sections 6200 through 6206. The arbitrator or arbitration panel shall have the authority to award to the prevailing party attorneys' fees, costs and interest

incurred. Any arbitration award may be served by mail upon either side and personal service shall not be required.

If a dispute arises between District and Attorney over any other aspect of the attorney-client relationship, including, without limitation, a claim for breach of professional duty, that dispute will also be resolved by arbitration. It is understood that any dispute as to any alleged breach of professional duty (that is, as to whether any legal services rendered under this agreement were allegedly unnecessary, unauthorized, omitted entirely, or were improperly, negligently or incompetently rendered) will be determined by submission to arbitration as provided by California law, and not by a lawsuit or resort to court process except as California law provides for judicial review of arbitration proceedings. **Both parties to this agreement, by entering into it, are giving up their constitutional right to have any such dispute decided in a court of law before a jury, and instead are accepting the use of arbitration.** Each party is to bear its own attorney's fees and costs.

6. File Retention

After our services conclude, Attorney will, upon District's request, deliver the file for the matter to District, along with any funds or property of District's in our possession. If District requests the file for the matter, Attorney will retain a copy of the file at the District's expense. If District does not request the file for this matter, we will retain it for a period of seven (7) years after this matter is closed. If District does not request delivery of the file for this matter before the end of the seven (7) year period, we will have no further obligation to retain the file and may, at our discretion, destroy it without further

notice to District. At any point during the seven (7) year period, District may request delivery of the file.

7. Assignment

This Agreement is not assignable without the written consent of District.

8. Independent Contractor

It is understood and agreed that Attorney, while engaged in performing the terms of this Agreement, is an independent contractor and not an employee of District.

9. Authority

The signators to this Agreement represent that they hold the positions set forth below their signatures, and that they are authorized to execute this Agreement on behalf of their respective parties and to bind their respective parties hereto.

10. Term

This Agreement is effective August 16, 2019, ongoing and may be modified by mutual agreement of the parties. This agreement shall be terminable by either party upon thirty (30) days written notice.

LIEBERT CASSIDY WHITMORE,
A Professional Corporation

MADERA UNIFIED SCHOOL
DISTRICT

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

SCHEDULE I – FEES & COSTS

1. Hourly Rates (As of Agreement Effective Date)

Partners	\$335.00
Senior Counsel	\$315.00
Associates	\$210.00 - \$295.00
Labor Relations/HR Consultant	\$240.00
Paralegals	\$135.00
E- Discovery Specialists	\$135.00
Law Clerks	\$135.00 - \$175.00

2. COSTS

1. Photocopies	\$0.15 per copy
2. Facsimile Transmittal	\$0.25 per page

SCHEDULE II

LCW LITIGATION and E-DISCOVERY MANAGEMENT

LCW is committed to using state-of-the-art technology to efficiently manage and harness electronically-stored information (“ESI”) in compliance with Federal and State law requirements. LCW partners with an outside managed services provider to provide Relativity, the industry leading e-discovery software, for this purpose. The cost for each matter will depend on the volume and format of the data. For non-complex data up to 50 gigabytes, LCW charges a monthly fee of \$375 on all active litigation matters for data management, including data validation and security, ingestion, de-duplication, culling and streamlining, and creation of Relativity fields for expedited review. For data of 50 gigabytes and over and for complex data requiring specialized services (e.g., payroll data, spreadsheets with underlying formulas, video, advanced searches, etc.), additional charges are incurred and are passed through to the client. For such charges, we will provide an itemized bill from our managed services provider and obtain client approval prior to incurring the charges.

Litigation Case Staffing

LCW has organized its litigation practice to meet the challenges of today’s complex litigation cases. We employ a dedicated Litigation Manager – a non-billing attorney litigator – whose responsibility is to monitor all litigation cases to ensure quality, efficiency, and adherence to client and firm litigation guidelines. Each litigation case is staffed with a Partner, an Associate (or Associates, as required and as approved by the Client), a Paralegal and an E-Discovery Specialist. Our E-Discovery Specialists have extensive experience in the efficient management of electronic data through every stage of the e-discovery life cycle, and they strategize with attorneys and clients on effective ESI protocols. This makes the document review process more efficient and enables our attorneys to target the most relevant data to meet litigation objectives. Working with our e-discovery managed services provider, we are able to provide state-of-the-art data processing and hosting services at below-market rates.