

**BOARD MEETING DATE:** June 2, 2022

**FOR ACTION**

**SUBJECT:** Resolution Number 21/22 - 54  
Reduced Workload Program (Willie Brown)

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**BACKGROUND INFORMATION:** The Reduced Workload Program eligibility requirements include the following:

1. Participation must be Board approved.
2. Employee must be age 55 prior to RWP Effective Date.
3. Employed Full-Time a minimum of ten years in a certificated position.
4. Employed Full-Time in a certificated position for five consecutive years immediately preceding RWP Effective Date.
5. Salary Less than that of:  
School Principal (K-12)
6. Agreement:  
Exists between employer and participant  
May be revoked by consent of both parties  
Not to exceed five years  
Participant to work at least 50 percent of the time

**REPORT/PROPOSAL:** The eligibility requirements have been met by Patricia Fambrini. She has requested to participate in the Reduced Workload Program and retain a 60% Culinary assignment for the 2022-23 school year as defined by the Negotiated Agreement with DTA.

**FINANCIAL IMPACT:** Patricia Fambrini will be budgeted for 60% compensation with STRS and Benefit contribution rate at 100%. The extra 40% retirement and benefit contribution will need to be budgeted in the 2022-23 school year.

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**SUPERINTENDENT'S RECOMMENDATION:** That the Board of Trustees approve Resolution Number 21/22 - 54 .

**MOUNTAIN VIEW LOS ALTOS HIGH SCHOOL DISTRICT**

**RESOLUTION NUMBER 21/22 - 54**

**REDUCED WORKLOAD PROGRAM**

**WHEREAS,** Patricia E. Fambrini, a current staff member, has requested to enter the Reduced Workload Program for the 2022-23 school year; and

**WHEREAS,** Patricia E. Fambrini, has requested to retain a 60% assignment in Culinary; and

**WHEREAS,** Patricia E. Fambrini, has fulfilled the State requirements for eligibility;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees authorizes the acceptance of Patricia E. Fambrini, into the Reduced Workload Program under the provisions of the Reduced Workload Program agreement.

**PASSED AND ADOPTED BY** the Mountain View Los Altos High School District Board of Trustees at its meeting of June 2, 2022.

**AYES:**

**NOES:**

**ABSTENTION:**

**ABSENT:**

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Nellie Meyer, Ed.D.  
Secretary to the Board of Trustees

## **Education Code section :**

22713. (a) Notwithstanding any other provision of this chapter, the governing board of a school district or a community college district or a county superintendent of schools may establish regulations that allow an employee who is a member of the Defined Benefit Program to reduce his or her workload from full time to part time, and receive the service credit the member would have received if the member had been employed on a full-time basis and have his or her retirement allowance, as well as other benefits that the member is entitled to under this part, based, in part, on final compensation determined from the compensation earnable the member would have been entitled to if the member had been employed on a full-time basis, and as further specified in Sections 44922, 87483, and 89516.

(b) The regulations shall include, but may not be limited to, the following:

(1) The option to reduce the member's workload shall be exercised at the request of the member and may be revoked only with the mutual consent of the employer and the member. The agreement to reduce a member's workload shall be in effect at the beginning of the school year.

(2) The member shall have been employed on a full-time basis to perform creditable service subject to coverage under the Defined Benefit Program and have a minimum of 10 years of credited service prior to the reduction in workload. Additionally, the member shall have five years of full-time employment immediately preceding the reduction in workload.

(3) The member may not have had a break in service during the five years immediately preceding the reduction in workload. For purposes of this subdivision, sabbaticals, other approved leaves of absence, and unpaid absences from the performance of creditable service for personal reasons from full-time employment do not constitute a break in service. For purposes of this subdivision, the period of time during which a member is retired for service shall constitute a break in service and a member who reinstates from retirement shall be required to be employed on a full-time basis to perform creditable service for at least five school years immediately preceding the reduction in workload.

(4) The member shall have reached 55 years of age prior to the reduction in workload.

(5) The reduced workload shall be performed for a period of time, as specified in the regulations, up to and including 10 years. The period of time specified in the regulations may not exceed 10 years.

(6) The reduced workload shall be equal to at least one-half of the time the employer requires for full-time employment in accordance with Section 22138.5 pursuant to the member's contract of employment during his or her last school year of full-time employment preceding the reduction in workload.

(7) The member shall be paid creditable compensation that is the pro rata share of the creditable compensation the member would have been paid had the member not reduced his or her workload.

(c) Prior to the reduction of a member's workload under this section, the employer, in conjunction with the administrative staff of the State Teachers' Retirement Plan and the Public Employees' Retirement System, shall verify the member's eligibility for the reduced workload program.

(d) For each school year the member's workload is reduced pursuant to this section, the member shall make contributions to the Teachers' Retirement Fund in the amount that the member would have contributed if the member had performed creditable service on a full-time basis and if that service was subject to coverage under the Defined Benefit Program.

(e) For each school year the member's workload is reduced pursuant to this section, the employer shall contribute to the Teachers' Retirement Fund at a rate adopted by the board as a plan amendment with respect to the Defined Benefit Program an amount based upon the creditable compensation that would have been paid to the member if the member had performed creditable service on a full-time basis and if that service was subject to coverage under the Defined Benefit Program.

(f) The employer shall maintain the necessary records to separately identify each member who participates in the reduced workload program pursuant to this section.

(g) A member who retires or otherwise separates from service prior to the end of the school year shall be in violation of this section and the member's service credit for that period of the contract shall be computed in accordance with Section 22701.

(h) A member performing service in accordance with this section may not terminate his or her agreement pursuant to paragraph (1) of subdivision (b) if the employer has a formalized agreement to pick up member contributions pursuant to Section 22903. A member may terminate the agreement only if the employee takes one of the following actions:

- (1) Terminates service.
- (2) Retires from service under the Defined Benefit Program.
- (3) Continues to perform service pursuant to this section under a new arrangement to perform creditable service for at least one-half of the time the employer requires for full-time employment in accordance with Section 22138.5.
- (4) Returns to full-time employment.