



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 9.3

Meeting Date: February 21, 2013

Subject: **Approve Resolution #2735: Intention to Terminate Certificated Employees Due to a Reduction of Particular Kinds of Service**

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading
- Conference/Action
- Action
- Public Hearing

Division: Human Resource Services

Recommendation: **Approve Resolution #2735: Intention to Terminate Certificated Employees Due to a Reduction of Particular Kinds of Service**

Background/Rationale: Staff recommends the reduction and/or elimination of particular kinds of services provided by certificated employees due to uncertainty of the State's funding allocations for school districts and District and program needs.

Individuals may be laid off when the governing board has reduced particular kinds of services. Resolution #2735 includes reference to Exhibit A which will address positions to be reduced due to reduction of a particular kind of service; and Exhibit B, details the requirements to be deemed "competent" to serve in specified positions as authorized under Education Code section 44955.

Under state law, school districts must provide notice on or before March 15th to employees who are designated for layoff for the 2013-14 school year. These individuals have the right to request a hearing to challenge the cause for layoff. The final decision for layoffs must occur before the 15th of May.

With adoption of Resolution #2735, the Chief Human Resources Officer and staff will be directed to send notices to affected certificated employees that their services will not be required for the 2013-14 school year, and that said notices should be sent to the appropriate certificated employees in order to effectuate a reduction of the certificated staff in an amount equal to the number of full-time equivalent positions, consistent with the resolution, its attachments and Education Code sections 44949 and 44955.

Financial Considerations: Budget reductions needed to assist in addressing the District's budget shortfall.

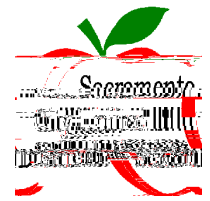
Documents Attached:

- 1) Board of Education Executive Summary
- 2) Resolution #2735
- 3) Exhibit A and B will be available at the Board meeting.

Board of Education Executive Summary

Human Resource Services Certificated Layoff

February 21, 2013



I. Overview/History:

The District is facing serious budget reductions for the 2013-14 school year. Due to the financial impact of this budget reality, the District must prepare for all possibilities including the decision to reduce certain services for the 2013-14 school year.

Individuals may be laid off when the governing board has reduced particular kinds of services. Under state law, school districts must provide notice on or before March 15th to employees who are designated for layoff for the 2013-14 school year. These individuals have the right to request a hearing to challenge the cause for layoff and the final decision for layoffs must occur before the 15th

Education Code 44955 - " No permanent employee shall be deprived of his or her position for causes other than those specified in Sections 44907 and 44923, and Sections 44932 to 44947, inclusive, and no probationary employee shall be deprived of his or her position for cause other than specified in Sections 44948 to 44949, inclusive."

Board Policy – Administrative Regulation 4117.3 – Personnel Reduction – When the district needs to reduce the number of certificated staff, the district shall adhere to the notice, hearing and layoff procedures in Education Code 44949 and 44955.

III. Budget Impact

Budget reductions needed to assist in addressing the District's budget shortfall.

IV. Goals, Objectives and Measures:

The Education Code provides the specific reasons and methods to lay off certificated employees under Education Code 44949 and 44955. Reduction of particular kinds of services (PKS) and/or decline in average daily attendance (ADA) are the two methods generally used as a basis for a certificated layoff. A PKS layoff is when the Board of Education decides to eliminate or reduce programs, services or classes (i.e., counseling, nursing, foreign language). The District has determined and identified the particular kinds of services (PKS) to be reduced or eliminated and the number of full time equivalent (FTE) or portion of one FTE to be reduced. That information is contained in Resolution #2735 Intention to Terminate Certificated Employees Due to a Reduction of Particular Kinds of Service attached to this summary.

WHEREAS, the Board of the City of Dallas
has adopted Ordinance No. 10887
relating to the City of Dallas

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has adopted Ordinance No. 10887
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has adopted Ordinance No. 10887
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NOW, THEREFORE, BE IT RESOLVED that the Board of the City of Dallas
do hereby adopt Ordinance No. 10887
relating to the City of Dallas

BE IT FURTHER RESOLVED that the Board of the City of Dallas
do hereby adopt Ordinance No. 10887
relating to the City of Dallas

PASSED AND ADOPTED
this 3rd day of

AES -
SS -
ABEN -
ABEN -

-
City Clerk
Dallas

ATTEST

-
City Clerk
Dallas