

PERSONNEL REDUCTION

Procedures and the Law



Reasons for Certificated Reduction

- ❑ **Decline in ADA**
- ❑ **Reduction of Particular Kind of Service (PKS)**
- ❑ **Anticipated decline due to termination of interdistrict agreement**
- ❑ **Legally required modification of curriculum**
- ❑ **Insufficient increase of revenue limit**



What To Consider – What to Ask

- How many retirees?**
- How many resignations?**
- How many temporary positions?**
- How many categorically-funded positions?**
- Any possible funding offset?**
- When submitted?**
- When submitted?**
- # of job shares continuing and # returning from leaves**
- Is funding continuing?**
- Can a position be charged to a categorical program?**



Guideline for Decisions

- **Assignment**
 - Determine where reductions will be made
- **Seniority**
 - Determine teachers with least seniority
- **Credentials**
 - Determine credentialing of teachers
- **Tie-Breaker Criteria**
 - Determined by Board for use when there is equal seniority



Non-Seniority based if...

- **Fill a demonstrated need (specific subject, specialized services credential)**
- **Achieve compliance with constitutional requirements**



Process and Timelines - District

- **Need is analyzed, seniority lists compiled**
- **Superintendent makes recommendation to the Board**
- **Board adopts resolution to reduce employees**
- **Letters delivered to employees**
- **1st semester**
- **Prior to March 8**
- **By March 8**
- **By March 15**



Important Dates - Employee

- **March 15**
- **May 7**
- **May 14**
- **30 days after final Board decision**
- **Notice, reasons, right to ALJ hearing**
- **ALJ decision sent to Board**
- **Deadline for final employee notification**
- **Deadline for appeal to Superior Court**



Procedure in GUSD for 2009-10

- ❑ **Meet with GTA leadership to review process and timelines**
- ❑ **Verification letters sent in January**
- ❑ **Seniority list compiled and verified in January**
- ❑ **If need to RIF is determined, statutory procedures implemented**



Determination in ALJ Hearing

- **Was the notice timely?**
- **Were services properly reduced or discontinued?**
- **Were seniority principles properly applied?**



Possible Bargaining Points

- **Effects of layoff (but not decision):**
 - **Continuation of benefits**
 - **Impact on class size**
 - **Transfers**
 - **Assignment/reassignments**



Certificated Reemployment Rights

- **Preferential reemployment rights**
 - **39 months for permanent certificated staff**
 - **24 months for probationary certificated staff**

- **Priority for substitute service**



Classified Layoff

- ❑ **Reasons include lack of work and lack of funds**
- ❑ **Seniority computed on total hours worked in paid status, excluding overtime**
- ❑ **For categorically-funded reduction at end of school year, must notice employee by April 29**
- ❑ **For lack of work layoff at end of the year or during the year, must provide a 45 day notice**
- ❑ **Provide notice of “bumping” rights over less-senior employees**
- ❑ **Placed on 39-month reemployment list**



Certificated Management

- **Certificated Management at year 3 are tenured, but without seniority with the following exceptions:**
 - **Credited with a maximum of three years seniority if serving as site administrator**
 - **Carry years as non-management certificated if continue in the same district**
- **Shall be provided written reason for transfer upon request**
- **Once reclassified, all other reduction guidelines apply**



Questions?
