



LOS ANGELES UNIFIED SCHOOL DISTRICT

Board of Education Report

Report Number:	220-09/10
Date:	March 2, 2010
Subject:	Reduction in Force Notices to Permanent Certificated Teachers and Support Services Personnel
Responsible Staff:	
Name	Vivian K. Ekchian, Chief Human Resources Officer
Office/Division	Human Resources Division
Telephone No.	(213) 241-6131

BOARD REPORT

Action Proposed: It is proposed that the Board of Education:

1. Determine that it is necessary to reduce or discontinue particular kinds of services as indicated in Attachment A no later than the beginning of the 2010-2011 school year.
2. Determine that it is necessary to layoff, at the end of the 2009-2010 school year, certain certificated employees as the result of the reduction/elimination of a particular kind of service.
3. Determine that among employees who first rendered paid service to the District on the same day, the order of layoff will be based on District seniority number as determined by Article XI, Section 6.2 of the LAUSD/UTLA collective bargaining agreement, as determined at the time of hire.
4. Determine that it is necessary to retain the services of certificated employees in the 2010-2011 school year regardless of seniority who are No Child Left Behind compliant, which is a federal and state requirement of all teachers in core academic subjects. If sufficient reductions are not realized after the release of all non-NCLB compliant employees in the affected particular kinds of services, the District will then release employees in the affected particular kinds of services by seniority.



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5. Determine that a certificated employee is competent to render service, as that term is used in Education Code Section 44955(b) and 44957(a), if:
 - a. the employee possesses an appropriate credential, and
 - b. (1) for employees moving from elementary education including middle school core to a departmentalized 7-12 setting, such employees must have taught at least one semester (full-time equivalent) in a 7-12 departmentalized setting for the District in the last three years and (2) for employees moving from a 7-12 departmentalized setting to elementary education including middle school core, such employees must have taught at least one semester (full-time equivalent) in elementary education including middle school core for the District in the last three years.

The restrictions set forth in (1) and (2) above shall not apply to employees moving into special education instruction. Such employees may move between elementary education including middle school core and a 7-12 departmentalized setting without restriction due to the special skills designated by a special education credential and District need in this area.

6. Authorize the Human Resources Division to send March 15 notices to layoff permanent certificated employees [who have acquired the least seniority] informing them that they will be laid off by June 30, 2010, in accordance with Education Code Sections 44949 and 44955.

It is further proposed that the Board of Education authorize the Human Resources Division to send final layoff notices by May 15, 2010.

Background:

In accordance with the provisions of Education Code Sections 44949 and 44955, noticed employees may request a hearing to determine whether there is cause for their layoff.

A request for a hearing must be in writing and must be received by the District on or before March 19, 2010, which is no less than seven days after the notice is sent. A letter to request a hearing and copies of Sections 44949 and 44955 will be enclosed for the employee's convenience, information and reference. If the employee fails to request a hearing on or before March 19, 2009, they shall waive their right to a hearing.



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Expected Outcomes: That the Board will approve this request to reduce or discontinue particular kinds of services and authorize the Human Resources Division to send March 15 notices to layoff permanent certificated teachers and support service personnel by June 30, 2010 in compliance with Education Code Sections 44949 and 44955.

In accordance with the provisions of Education Code Sections 44949 and 44955, noticed employees may request a hearing to determine whether there is cause for their layoff.

A request for a hearing must be in writing and must be received by the District on or before March 19, 2010, which is no less than seven days after the notice is sent. A letter to request a hearing and copies of Sections 44949 and 44955 will be enclosed for the employee's convenience, information and reference. If the employee fails to request a hearing on or before March 19, 2010, they shall waive their right to a hearing.

Board Options and Consequences: If authorization is not granted to send lay off notices to permanent certificated employees, the District will not be able to reduce or discontinue particular kinds of services and will need to continue to pay for the salary and benefits costs of permanent certificated teachers and support services personnel.

Policy Implications: The District must comply with Sections 44949 and 44955 of the Education Code in order to appropriately notify permanent certificated employees by March 15 that they will be laid off.

Budget Impact: Laying off permanent certificated employees will permit the District to meet District and student needs as a result of budgetary reductions for the 2010-2011 school year. Permanent certificated employees not noticed in accordance with Education Code provisions will require the District to continue to pay the salary and benefits costs for these permanent certificated employees for the 2010-2011 school year.

In addition certificated hearings require the District to pay for a day-to-day substitute for affected permanent certificated teachers attending the hearing. Employees being laid off are entitled to a hearing which is anticipated to commence on or around April 26, 2010.

Issues and Analysis: Employees being released will be placed on a District reemployment list for a period of 39 months from the date of separation, and during this time they will be offered preferential opportunity for substitute employment in accordance with Education Code Section 44956.



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Attachments:

Informative

**Desegregation
Impact Statement**

Respectfully submitted,

RAMON C. CORTINES
Superintendent of Schools

APPROVED &
PRESENTED BY:

VIVIAN K. EKCHIAN
Chief Human Resources Officer
Human Resources Division

APPROVED BY:

JAMES MORRIS
Chief Operating Officer

REVIEWED BY:

DAVID HOLMQUIST
General Counsel

- No legal issues
- Legal informative

REVIEWED BY:

YUMI TAKAHASHI
Budget Director

- No budget issues
- Budget Informative



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ATTACHMENT A

Permanent Elementary Teachers

Permanent Elementary Teachers	1,868
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(Subject to Revision)



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ATTACHMENT B

Permanent Support Services Personnel

Permanent Support Services Personnel	
• Psychiatric Social Worker	26
• PSA Counselor	39
• Secondary Counselor	155
• Nurse	80
• School Psychologist	52
• Elementary Counselor	10
Total	362

(Subject to Revision)