

PERSONNEL REDUCTION

Criteria to Determine the Order of Termination Among Certificated Employees with the Same Date of Paid Service

Purpose of Establishing Criteria

The purpose of adopting criteria for establishing an order to termination of employees who first rendered paid probationary service to the district on the same date is to comply with the requirements of Education Code 44955.

Criteria to be used

The Board of Trustees finds that to make effective release of employment decisions, objective criteria must be established. This will ensure that district employees are treated fairly and equitably. To this end, the needs of the district and its students will be best served by using the following criteria in establishing the order of termination described above.

1. Credentials to teach or serve in a particular program or provide a particular service of need by the district (e.g. bilingual, special education, math/science).
Rating: +1 per credential
2. Years of verified experience previous to current employment as a credentialed teacher in a probationary/permanent K-12 teaching situation in a public school.
Rating: +1 per year of part-time; +2 per year of full-time
3. Credentials that permit supplementary authorization (e.g. CLAD) and/or specialist service credentials.
Rating: +1 per supplementary authorization and/or specialist service credential
4. Earned degrees beyond the B.A. or B.S. level (e.g. masters, doctorate).
Rating: +1 per degree
5. Preliminary v. Clear/Life Credentials.
Rating: +1 per emergency, +2 per preliminary, +3 clear/life credential
6. National Board Certification.
Rating: +1 per National Board Certification
7. Served as THRIVE mentor, department chair or other leadership role in current school year
Rating: +1 per year

PERSONNEL REDUCTION (continued)

8. Level of course difficulty in relationship to past teaching assignments (e.g. Advanced Placement, IBO) in current school year
Rating: +1 per A.P. or IBO.

Tie-Breaking Procedure

In the event that common day hires have equal qualifications based on application of the above criteria, the district will then break ties by utilizing a lottery.

Legal Reference:

EDUCATION CODE

44830 *Employment of certificated persons*
44949 *Dismissal of probationary employees*
44955 *Reduction in number of permanent employees*
44955.5 *Termination of certificated employees*
44956-44959.5 *Rights of employees*

GOVERNMENT CODE

3543.2 *Scope of representation*

COURT DECISIONS

California Teachers Association v. Vallejo City Unified School District, (2007) 149 Cal.App.4th 135
Bakersfield Elementary Teachers Association v. Bakersfield City School District, (2006) 145 Cal.App.4th 1260
Cousins v. Weaverville Elementary School District, (1994) 24 Cal.App.4th 1846
Forker v. Board of Trustees, (1984) 160 Cal.App.3d 13
Moreland Teachers Assoc. v. Kurze, (1980) 109 Cal.App.3d 648
King v. Berkeley Unified School District, (1979) 89 Cal.App.3d 1016

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>