SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION

Agenda Item 10.3

Meeting Date: March 2, 2017

Subject: Approve Resolution No. 2926: Intention to Eliminate Positions 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 No. 2926: Intention to Eliminate Positions 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 declining enrollment, reduced funding from the State and District program needs.

Individuals may be laid off, if necessary, when the Governing Board has reduced particular kinds of services. Resolution No. 2926 includes reference to Exhibit A which will address positions to be reduced due to reduction of a particular kind of service.

Under state law, school districts must provide notice on or before March 15th to employees who are designated for layoff for the 2017-18 school year, if any. 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.

Financial Considerations: Budget reductions needed to assist in addressing the District's declining enrollment, reduced funding from the State, and District program needs.

LCAP Goal(s): Safe, Emotionally Healthy and Engaged Students

Documents Attached:
1. Board of Education Executive Summary
2. Resolution No. 2926
3. Exhibit A will be available at the Board meeting.

Estimated Time of Presentation: 3 minutes
Submitted by: Cancy McArn, Chief Human Resources Officer
Approved by: José L. Banda, Superintendent

Board of Education Executive Summary

Human Resource Services

Intention to Eliminate Positions Due to a Reduction of Particular Kinds of Service
March 2, 2017

I. OVERVIEW / HISTORY

Due to declining enrollment, reduced State funding and District program needs, the District must prepare to reduce and/or eliminate particular kinds of services provided by certificated employees for the 2017-18 school year. Accordingly, the District seeks to eliminate certain programs and services as listed in Exhibit A to the attached Resolution No. 2926 pursuant to Education Code section 44955.

At this time, the District believes that the programs and services listed in Exhibit A will not have employees assigned to them for the 2017-2018 school year. The District recognizes that under state law, the District would need to provide notice on or before March 15th to any employee(s) who it later determines must be designated for layoff for the 2017-18 school year if necessary. Such individuals would have the right to request a hearing to challenge the cause for layoff and the final decision for layoffs must occur before the 15th of May.

II. DRIVING GOVERNANCE

- Education Code 44949 – "No later than March 15 and before an employee is given notice by the governing board that his or her services will not be required for the ensuing year for the reasons specified in Section 44955, the governing board and the employee shall be given written notice by the superintendent of the district or his or her designee."

- 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

Position reductions needed to assist in addressing the District's reduced funding for certain programs, District program needs and respond to declining enrollment.

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 #2926 Intention to Eliminate Positions Due to a Reduction of Particular Kinds of Service, attached to this summary.

V. MAJOR INITIATIVES

The attached resolution includes Exhibit A which is the recommended reduction in 2017-18 programs and services and specifically lists the services to be reduced and the number of full time equivalent (FTE) positions.

With the adoption of Resolution #2926, the Chief Human Resources Officer and staff will be directed to send notices to any certificated employees deemed to be affected by the elimination of positions that their services will not be required for the 2017-18 school year. Any necessary notices will be sent to the appropriate certificated employees in order to effectuate a reduction of the certificated staff consistent with the resolution, its attachment and Education Code sections 44949 and 44955.

VI. RESULTS

The layoff notice must be sent by March 15th to any employee who may be laid off. The packet each person receives will include:

a) Notice of recommendation that services will not be required.
b) Copy of signed Board resolution.
c) Request for hearing, with notification that request must be filed seven days after service of the notice.
d) Proof of service.

The notice packet must be sent by registered or certified mail.

VII. LESSONS LEARNED / NEXT STEPS

Approve Resolution #2926 - Resolution of Intention to Eliminate Positions Due to a Reduction of Particular Kinds of Service and direct staff to confirm whether any layoff notices will need to be served by March 15th.

SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION

RESOLUTION NO. 2926

INTENTION TO ELIMINATE POSITIONS DUE TO A REDUCTION OF PARTICULAR KINDS OF SERVICES

WHEREAS, the Board of Education of the Sacramento City Unified School District has determined that it shall be necessary to reduce or discontinue the particular kinds of services of the District as itemized in Exhibit "A" at the close of the current school year; and

WHEREAS, it shall be necessary to terminate at the end of the 2017-2018 school year, the employment of certain certificated employees of the District as a result of this reduction or discontinuance in particular kinds of services;

NOW, THEREFORE, BE IT RESOLVED that the Superintendent or designee is directed to send appropriate notices to all employees whose services shall be terminated by virtue of this action. Nothing herein shall be deemed to confer any status or rights upon temporary or categorically funded project certificated employees in addition to those specifically granted to them by statute.

PASSED AND ADOPTED by the Sacramento City Unified School District Board of Education on this 2nd day of March, 2017, by the following vote:

AYES: ____
NOES: ____
ABSTAIN: ____
ABSENT: ____

_____
Jay Hansen
President of the Board of Education

ATTESTED TO:

_____
José L. Banda
Secretary of the Board of Education

RESOLUTION NO. 2926

EXHIBIT A

Recommended Reduction in 2017-2018 Programs and Services for the Sacramento City Unified School District.

The Superintendent recommends that the Board of Education adopt a resolution to reduce the programs and services for 2017-2018 as follows:

Services	Number of Full-Time Equivalent Positions
K-12 Teachers:	
TBD	FTE
-Sub Total	FTE
Child Development:	
TBD	
-Sub Total	FTE
Total Elimination:	FTE