



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 9.3

Meeting Date: March 3, 2022

Subject: Resolution No. 3255: Notice of Layoff: Child Development Permit Teachers – Reduction in Force Due to Lack of Funds and/or of Work

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

Division: Human Resource Services

Recommendation: Approve Resolution No. 3255 Notice of Layoff: Child Development Permit Teachers – Reduction in Force Due to Lack of Funds and/or Work.

Background/Rationale: Based on a lack of work and/or lack of funds, and to ensure the District's long-term fiscal health the District will require a reduced number of Child Development Permit Teacher positions for the 2022-2023 school year. In addition, the District continues to face declining enrollment.

Each year, the District undergoes a process of reviewing available information and engaging in cross-departmental collaborations with school sites to assist in identifying staffing needs for the upcoming school year. These meetings explore:

- 1) Staffing Needs – To provide maximum flexibility during this time of uncertain budgetary constraints.
- 2) Funding changes – categorical and general funds increase or decrease resulting in the reduction of hours or elimination of a child development teaching position.
- 3) Academic program changes – a school site or department may change an academic focus resulting in the reduction of hours or elimination of a child development teaching position.

- 4) Budget reductions or staffing formula changes – due to budgetary reductions and the potential change in staffing formulas, an increase or decrease of hours or elimination of a child development teaching position may occur.

Prior to determining the layoff of child development teachers, a review of current vacant positions is conducted. That review enables Human Resource Services staff to assign a displaced employee to a vacant position within the child development department, thereby reducing the number of child development teachers who are laid off, to the extent possible.

Under Education Code 8303, a child development teacher(s) holding a position requiring a child development permit for the supervision and instruction of children may be laid off at any time during the school year due to a lack of funds and/or lack of work.

The District will continue to try and identify alternative solutions for minimal impact on employees of the District. As decisions are made regarding the District's budget for 2022-2023, additional funding may become available, new positions may be identified and/or positions that were eliminated may be reinstated.

Financial Considerations: Budget reductions needed to assist in addressing the District's declining enrollment, the elimination of certain funds, the District's long term fiscal health, and District program needs.

LCAP Goal(s): Goals include Safe, Emotionally Healthy and Engaged Students, Family and Community Empowerment, and Operational Excellence.

Documents Attached:

1. Executive Summary
2. Resolution No. 3255
3. Exhibit A: will be provided prior to March 3, 2022

<p>Estimated Time of Presentation: 5 minutes Submitted by: Cancy McArn, Chief Human Resources Officer Human Resource Services Approved by: Jorge A. Aguilar, Superintendent</p>
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Board of Education Executive Summary

Human Resource Services

Notice of Layoff: 3255: Notice of Layoff: Child Development Permit Teachers
– Reduction in Force Due to Lack of Funds and/or of Work
March 3, 2022



I. Overview/History of Department or Program

Resolution No. 3255: Notice of Layoff: Child Development Permit Teachers – Reduction in Force Due to Lack of Funds and/or of Work

District administration proposes to reduce enumerated Child Development Permit Teacher positions due to a lack of funds and/or lack of work.

II. Driving Governance:

- Education Code 8303(a) – “Each person employed by a public or private agency in a position requiring a child development permit for the supervision and instruction of children, or for service as a physician, dentist, or nurse, or in the supervision of the preschool program, shall be deemed to be employed in a position requiring certification qualifications.”
- Education Code 8303(c) – “A district may lay off an employee required to have such a permit at any time during the school year for lack of work or lack of funds or may provide for the employee’s employment for not to exceed 90 days in any one school year on an intermittent basis which shall not be deemed probationary service. The order of layoff shall be determined by length of service. The employee who has served the shortest time shall be laid off first, except that no permanent employee shall be laid off ahead of a probationary employee. A permanent employee who has been laid off shall hold reinstatement rights for a period of 39 months from the date of layoff.”

III. Budget:

Position reductions and/or eliminations are needed to assist in addressing the District’s declining enrollment, reduced funding, the District’s long-term fiscal health, and District program needs.

IV. Goals, Objectives and Measures:

Under Education Code section 8303, school districts must provide notice to child development teachers of a layoff for lack of funds and/or lack of work during the school year. Resolution No. 3255 and Exhibit A list the Child Development Permit Teacher positions that will be eliminated for the upcoming 2022-23 school year.

Board of Education Executive Summary

Human Resource Services

Notice of Layoff: 3255: Notice of Layoff: Child Development Permit Teachers
– Reduction in Force Due to Lack of Funds and/or of Work
March 3, 2022



V. Major Initiatives:

Education Code section 8303 permits school districts to layoff child development teachers who hold positions requiring a child development permit for the supervision and instruction of children. Under section 8303, child development teachers may be laid off at any time during the school year for a lack of funds and/or lack of work. Under the law, permanent child development teachers who have been laid off will have reinstatement rights for a period of 39 months from the date of layoff in the event such positions are restored.

VI. Results:

Resolution No. 3255 authorize the issuance of layoff notices to affected child development teachers, informing them of their layoff effective at the end of the school year. With approval of this resolution, Human Resources Services will take all actions to send appropriate notices to all employees whose position will be affected by layoff.

VII. Lessons Learned/Next Steps:

Approve Resolution No. 3255 – Notice of Layoff: Child Development Permit Teachers
– Reduction in Force Due to Lack of Funds and/or of Work

**SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION**

RESOLUTION NO. 3255

**NOTICE OF LAYOFF: CHILD DEVELOPMENT TEACHERS– REDUCTION IN
FORCE DUE TO LACK OF FUNDS AND/OR LACK OF WORK**

WHEREAS, Education Code section 8303 recognizes that persons employed in positions requiring possession of a child development permit for the supervision and instruction of children issued by the Commission on Teacher Credentialing may be subject to layoff at any time during the school year due to lack of funds and/or lack of work; and

WHEREAS, due to a bona fide reduction or elimination of services being performed by child development teachers due to a lack of funds and/or lack of work, affected child development teachers shall be given notice of layoff; and

WHEREAS, the Superintendent has recommended that the child development teaching positions set forth in Exhibit A be reduced or eliminated for the 2022-2023 school year. The Board of Education directs the Superintendent or his authorized designee to give notice to the affected employees.

NOW, THEREFORE, BE IT RESOLVED, that it shall be necessary, pursuant to the recitals above incorporated by this reference, to eliminate the child development teaching positions listed in Exhibit A as a result of lack of funds and/or lack of work. The Superintendent or his authorized designee is directed to take all appropriate action needed pursuant to the applicable provisions of the Education Code.

PASSED AND ADOPTED by the Sacramento City Unified School District Board of Education on this 3rd day of March, 2022, by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

Christina Pritchett
President of the Board of Education

ATTESTED TO:

Jorge A. Aguilar
Secretary of the Board of Education