



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item# 10.4

Meeting Date: March 3, 2011

Subject: Resolution #2648 – Determination for Tie-Breaking Criteria

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

Learning Support Unit/Department: Human Resource Services

Recommendation: Approval of Resolution #2648 – Determination for Tie-Breaking Criteria

Background/Rationale: The District is facing a budget deficit of approximately \$22 million dollars if voters do not approve tax extensions in June. To prepare for this possibility, the Board of Education must make difficult decisions to reduce certain services currently provided by certificated employees.

Generally, certificated employees are laid off in reverse order of seniority; those with the least seniority are laid off first. In regard to employees who share the same seniority date, Education Code section 44955(b) requires governing boards to determine the order of layoff solely based on the needs of the district and its students. Therefore, the District must adopt tie-breaking criteria to comply with this provision.

With the adoption of Resolution # 2648, the Chief Human Resources Officer and Human Resources Staff will be directed to apply the criteria set forth in the resolution to determine the order of layoff of certificated employees who share the same seniority date. The resolution directs that such notices be sent to the appropriate certificated employees in order to effectuate a reduction of the certificated staff in an amount equal to the number of full-time equivalent positions listed on the resolution, its attachments and in accordance with Education Code sections 44949 and 44955.

Financial Considerations: None.

Documents Attached:
Resolution # 2648

Estimated Time of Presentation: 10 minutes

Submitted by: Robert R. Garcia, CHRO

Approved by: Jonathan Raymond, Superintendent

Board of Education Executive Summary



**Human Resource Services – Seniority Tiebreaker
Resolution No. 2648
March 3, 2011**

I. Overview/History:

With the approval of Resolution #2647 – Resolution of Intention to Terminate Certificated Employees Due to a Reduction of Particular Kinds of Services, the District must next determine which employees will be noticed for layoff. In regard to certificated employees with the same seniority date, the Board must adopt criteria to determine their order of layoff solely based on the needs of the District and its students.

II. Driving Governance:

Education Code 44955(b) – “As between employees who first rendered paid service to the district on the same date, the governing board shall determine the order of termination solely on the basis of needs of the district and the students thereof.”

III. Budget Impact :

See budget presentation.

IV. Goals, Objectives and Measures:

Certificated employees often share the same seniority date. Education Code 44955(b) provides the district with flexibility to determine the order of termination or layoff by creating tie breaker categories solely based on the needs of the District and its students.

V. Major Initiatives:

With the adoption of Resolution # 2648, the Chief Human Resources Officer and Human Resources Staff will be directed to implement the seniority tie break criteria in the resolution to determine the order of layoff for certificated employees with the same seniority date.

VI. Results:

Resolution #2648 shall be for the purpose of determining the relative order of termination of certain certificated employees as part of the certificated layoff process.

VII. Next Steps:

Approve Resolution #2648 – Determination for Tie-Breaking Criteria.

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

RESOLUTION NO. 2648

RESOLUTION OF DETERMINATION FOR TIE-BREAKING CRITERIA

Pursuant to provisions of Education Code section 44955, the Board of Education is required to determine the District needs should it become necessary to determine the order of termination for employees who first rendered paid service to the District on the same day.

For the 2011-2012 school year only, to meet the requirements of section 44955, the Board of Education determines the needs of the District and the students by establishing the following tie-breaking criteria:

The following rating system shall be applied in determining the order of termination of certificated employees:

Category I – Professional Preparation

[To be available at Board meeting]

If there is still a tie after applying the above criteria, then Category II will be utilized.

Category II – Experience

[To be available at Board meeting]

Category III – Lottery

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

PASSED AND ADOPTED by the Sacramento City Unified School District Board of Education on this 3rd day of March, 2011, by the following vote:

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

Gustavo Arroyo,
President of the Board of Education

ATTESTED TO:

Jonathan P. Raymond
Secretary of the Board of Education