



# SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item 9.2

**Meeting Date:** March 7, 2019

**Subject:** Approve Resolution No. 3058: Resolution to Eliminate Certificated Employees Due to a Reduction of Particular Kinds of Service

- 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. 3058: Resolution to Eliminate Certificated Employees 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 or elimination of certain funds, and District program needs.

Individuals may be laid off, if necessary, when the Governing Board has reduced particular kinds of services. Resolution No. 3058 includes reference to Exhibit A which will address positions to be eliminated due to a reduction of particular kinds of services.

Under state law, school districts must provide notice on or before March 15<sup>th</sup> to employees who are designated for layoff for the 2019-20 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 15<sup>th</sup> of May.

**Financial Considerations:** Budget reductions needed to assist in addressing the District's declining enrollment, the elimination of certain funds and staffing needs.

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

**Documents Attached:**

1. Executive Summary
2. Resolution No. 3058
3. Exhibit A will be available at the Board meeting

**Estimated Time of Presentation:** 5 minutes

**Submitted by:** Cancy McArn, Chief Human Resources Officer

**Approved by:** Jorge A. Aguilar, Superintendent

# Board of Education Executive Summary

## Human Resource Services

Approve Resolution No. 3058: Resolution to Eliminate Certificated Employees

Due to a Reduction of Particular Kinds of Service

March 7, 2019

### I. Overview/History of Department or Program

Due to declining enrollment, reduced funding and District program needs, the District must prepare to reduce and/or need to provide notice on

to any employee(s) who it later determines must be designated for layoff for the 2019-2020 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 15<sup>th</sup> 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 cause 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 17.3 - 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 are needed to assist in addressing the District's declining enrollment, the elimination of certain funds, and staffing needs.

### 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 averaged 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 program 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

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Human Resource Services

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equivalent (FTE) or portion of one FTE to be reduced. That information is contained in Resolution No. 3058.

## V. Major Initiatives:

The attached resolution Exhibit A will be provided at the board meeting, which is the recommended reduction in 2019-2020 programs and services and specifically lists

the services to be reduced and the number of full time equivalent (FTE) positions to be eliminated.

SACRAMENTO CITY UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION

RESOLUTION NO. 3058

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 eliminate at the end of the 2018-2019 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 be and is directed to send appropriate notices to all employees whose services shall be eliminated 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

RESOLUTION NO. 3058

EXHIBIT A

WILL BE PROVIDED AT THE BOARD MEETING