

PERSONNEL REDUCTION (LAY-OFF/REHIRE)

A need for reduction of personnel may develop when student enrollment declines, or when a particular kind of service is reduced or discontinued, or when the district lacks the necessary funds.

The Governing Board has the power to determine that a reduction in certificated staff shall be made when the above conditions exist, and shall make the reductions on the Superintendent’s recommendation subject to the following conditions:

1. The case of reduced attendance, the percentage of certificated personnel (both permanent and probationary) released shall not exceed the corresponding attendance loss percentage.
2. No permanent certificated employee shall be terminated while any probationary employee, or any other employee with less seniority is retained to render a service which said permanent employee is certificated and competent to render.

Legal Reference:

EDUCATION CODE

44830	Employment of certificated persons
44949	Dismissal of employee of probation
44955	Reduction in number of permanent employees
44955.5	Termination of certificated employees
44956-44959.5	Rights of employees dismissed under Education Code Section 44955

GOVERNMENT CODE

3543.2	1Scope of representation Forker v. Board of Trustees (1984) 160 Cal.App.3d 13
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