

**LAYOFF/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 Board of Trustees has the power to determine that a reduction in staff shall be made when the above conditions occur.

*Legal Reference:*

EDUCATION CODE

45101 *Definitions*

45103 *Classified service in districts not incorporating the merit system*

45105 *Positions under various acts not requiring certification qualifications; classification*

45113 *Rules and regulations for classified service in districts not incorporating the merit system*

45114 *Layoff and reemployment procedures; definitions*

45115 *Layoff: Reinstatement from service retirement*

45117 *Notice of layoff*

45286 *Limited term employees*

45297 *Right to take equivalent examination while employee in military service*

45298 *Reemployment and promotional examination preference of persons laid off; voluntary demotions or reductions in time*

45308 *Order of layoff and reemployment; length of service*

45309 *Reinstatement of permanent noncertified employees after resignation*

UNITED STATES CODE, TITLE 38

4301-4307 *Veterans' Reemployment Rights*

COURT DECISIONS

California School Employees Association v. The Governing Board of East Side Union High School District (2011) 193 Cal.App.4<sup>th</sup> 540

Tucker v. Grossmont Union High School District (2008) 168 Cal.App.4<sup>th</sup> 640

San Mateo City School District v. Public Employment Relations Board (1983) 33 Cal.3d 850, 866