PUBLIC NOTICE

LOS ANGELES COUNTY OFFICE OF EDUCATION
9300 Imperial Highway
Downey, California 90242-4720

TO: General Public

FROM: Arturo Delgado, County Superintendent of Schools

SUBJECT: Reduction in Force Related Documents

DATE: March 13, 2012

TIME: 10:00 a.m.

LOCATION: Los Angeles County Office of Education
Board Room
9300 Imperial Highway
Downey, California 90242-4720

Resolution No. 7 Reduction or Discontinuance of Particular Kinds of Service (PKS)
Resolution No. 8 Termination of Temporary Contracts
Resolution No. 9 Teacher Seniority Tie-Break Criteria
Resolution No. 10 Release and/or Non-Reelection of Provisional Staff

Questions may be directed to Ramon Miramontes, Director, Human Resource Services, at (562) 803-8348.

Please Do Not Remove

Posted March 9, 2012

Note: The Los Angeles County Office of Education encourages those with disabilities to participate fully in the public meeting process. If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in the public meeting, please contact the Office of Risk Management at (562) 401-5760 at least 48 hours prior before the scheduled public hearing so that we may make every reasonable effort to accommodate you. [Government Code 54953.2; American Disabilities Act of 1990, 202 (42 U.S.C. 12132)]
Item I. Public Hearing

A. Reduction in Force Related Documents

**Attachment 1**
Reduction or Discontinuance of Particular Kinds of Services (PKS)

Attached is Resolution No. 7, to Reduce or Discontinue Particular Kinds of Service, to be adopted by the County Superintendent on March 13, 2012.

Based upon the reduction or discontinuance of the particular kinds of services set forth in Resolution No. 7, it will be necessary to decrease the number of certificated employees employed by the Los Angeles County Superintendent of Schools.

**Attachment 2**
Termination of Temporary Contracts

Attached is Resolution No. 8, Release of Employees Serving in Teaching Positions Requiring Certification Qualifications Pursuant to Temporary Contracts, to be adopted by the County Superintendent on March 13, 2012.

Education Code Section 44954 requires the County Superintendent to notify certain temporary employees before the end of the school year of the County Superintendent’s decision to not reelect the employee for the next succeeding school year.

**Attachment 3**
Teacher Seniority Tie-Break Criteria

Attached is Resolution No. 9, Determining Order of Termination of Certificated Personnel, to be adopted by the County Superintendent on March 13, 2012.

The County Superintendent is required to determine the order of termination, as between employees who first rendered paid service to LACOE on the same date, solely on the basis of the needs of the programs administered by the County Superintendent and the students participating in those programs.
Attachment 4
Release and/or Non-reelection of Provisional Staff

Attached is Resolution No. 10, Release and/or Non-reelection of Employees Serving in Teaching Positions Requiring Certification Qualifications Pursuant to Provisional Credentials, to be adopted by the County Superintendent on March 13, 2012.

Education Code Section 44911 provides, in pertinent part, “Service by a person under a provisional credential shall not be included in computing the service required as a prerequisite to attainment of, or eligibility to, classification as a permanent employee of a school district.”
BEFORE THE LOS ANGELES COUNTY SUPERINTENDENT OF SCHOOLS
LOS ANGELES COUNTY, CALIFORNIA
RESOLUTION TO REDUCE OR DISCONTINUE PARTICULAR KINDS OF SERVICE

RESOLUTION NO. 7

WHEREAS, pursuant to Education Code Section 44955, it is the opinion of the Los Angeles County Superintendent of Schools, Dr. Arturo Delgado, (hereinafter County Superintendent) that it has become necessary to reduce or discontinue particular kinds of services; and

WHEREAS, the County Superintendent of Schools is the employer of all employees working for the Los Angeles County Office of Education; and

WHEREAS, the County Superintendent does not desire to reduce the services of permanent certificated employees based upon any reduction of average daily attendance during the past two years; and

WHEREAS, it is the opinion of the County Superintendent that the following particular kinds of services be reduced or discontinued for the 2012-2013 school year:

EDUCATIONAL PROGRAMS

A. Division of Special Education

<table>
<thead>
<tr>
<th></th>
<th>FTE</th>
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<tbody>
<tr>
<td>1. Special Education Admin Early Intervention</td>
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<tr>
<td>2. Coordinator I</td>
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<tr>
<td>3. Teacher APE</td>
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<tr>
<td>4. Teacher AUT</td>
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<tr>
<td>5. Teacher DHH</td>
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<td>7. Teacher ED</td>
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<td>8. Teacher LSS</td>
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<td>9. Teacher MD</td>
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<td>10. Teacher TMR</td>
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<tr>
<td>11. Counselor</td>
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<tr>
<td>12. School Nurse</td>
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Subtotal 89.0
### B. Division of Student Programs

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<tr>
<td>1. Regional Director</td>
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<td>2. Assistant Principal</td>
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<td>3. Coordinator I</td>
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<td>4. School Psychologist</td>
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<td>5. Teacher CDS</td>
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<td>7. Teacher SDC</td>
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<td>9. Teacher LSS</td>
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<td>10. Teacher JCS Pool</td>
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<td>11. Teacher JCS</td>
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<td>12. Teacher CUR</td>
<td>1.0</td>
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<tr>
<td>13. Literacy Specialist</td>
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<td>14. Counselor</td>
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<tr>
<td>15. School Nurse</td>
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Subtotal: **99.0**

### EDUCATIONAL SERVICES

#### A. Division of Parent and Community Services/Williams

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<tr>
<td>2. Coordinator II</td>
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Subtotal: **3.0**

#### B. Division of Curriculum and Instructional Services

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<tr>
<td>2. Coordinator III</td>
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</tr>
<tr>
<td>3. Coordinator II</td>
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</table>

Subtotal: **5.0**
C. Division for School Improvement

1. Project Director III 2.0
2. Consultant II 2.0

Subtotal 4.0

TECHNOLOGY SERVICES

A. Division of Instructional Technology Outreach

1. Consultant II 9.0

Subtotal 9.0

TOTAL 209.00

WHEREAS, it is the opinion of the County Superintendent that it is necessary by reason of the aforementioned reductions and discontinuances of service to decrease the number of certificated employees by the equivalent of 209.00 FTE employees for the 2012-2013 school year;

WHEREAS, in determining the amount of service to be reduced, the County Superintendent has considered all assured attrition, and the reductions identified above are in addition to any assured attrition known at the time of this resolution;

WHEREAS, in accordance with California Education Code section 44955(d) the County Superintendent hereby determines that the Reduction in Force shall not include any permanent or probationary certificated employee who, by his/her training, experience, and assignment, is described within Exhibit A to this Resolution and is incorporated as though fully set forth herein;

WHEREAS, in accordance with California Education Section 44955(b), the Superintendent resolves that it will retain employees who are certificated and competent to render services over more senior employees who are not certificated and/or competent to render the same services. “Certificated” shall mean that an employee possesses a credential issued by the California Commission on Teacher Credentialing that authorizes him/her to render instruction or services in the subject matter area in which he/she claims to be entitled to render instruction or services, or has been lawfully exempted or received a waiver from the credential requirement. The criteria set forth in Exhibit B to this Resolution shall be used to determine whether an employee is competent to render services, and such criteria are incorporated as though fully set forth herein;
WHEREAS, the Education Code requires that various actions be taken and notices be forwarded no later than March 15th of each school year regarding layoffs of certificated personnel resulting from reductions of particular kinds of service;

NOW, THEREFORE, BE IT RESOLVED, by the Los Angeles County Superintendent of Schools, that for the 2012-2013 school year, the particular kinds of services to be provided by Los Angeles County Office of Education shall be and hereby are reduced to the extent hereinabove set forth;

BE IT FURTHER RESOLVED pursuant to Education Code Section 44955, that due to the reduction or discontinuance of particular kinds of services, the legal number of employees of the County Superintendent are not to be reemployed for the 2012-2013 school year;

BE IT FURTHER RESOLVED that the Assistant Superintendent of Human Resources, or his designee, is directed to give Notice of Recommendation Not to Reemploy, in accordance with the provisions of Sections 44949 and 44955 of the Education Code, to the number of certificated employees allowed pursuant to Education Code Section 44955;

BE IT FURTHER RESOLVED that the Assistant Superintendent of Human Resources, or his designee, is delegated the authority to take all actions necessary and proper to the accomplishment of the purposes of this Resolution.

The foregoing Resolution was adopted by Arturo Delgado, Ed.D., the duly appointed Los Angeles County Superintendent of Schools, on __________, 2012.

DATED: ____________________________  
Arturo Delgado, Ed.D.  
Los Angeles County Superintendent of Schools
EXHIBIT A

“Skipping” Criteria Pursuant to Education Code section 44955(d)(1)

For the 2012-2013 school year to meet the requirements of Education Code section 44955, the Los Angeles County Office of Education shall retain certificated employees in the particular kinds of services identified in Resolution No. 7, regardless of their seniority (unless the employee is bumped by a more senior and competent employee), to the extent one or more of their assignments meet any of the following criteria:

1) Probationary or permanent certificated employees who have experience teaching and specialized training in the Road to Success Academy’s customized curriculum for female incarcerated high school students.

2) Probationary or permanent certificated employees who are currently assigned to Challenger Memorial Youth Center and have received specialized training in the facility wide implementation of the Positive Behavior Interventions and Supports (PBIS) pursuant to the requirements of the Casey A. Settlement Agreement Section 5.

The Superintendent or designee is authorized to determine which employees qualify to be “skipped” from the Reduction in Force and to determine the manner in which the foregoing criteria shall be applied to each employee.

EXHIBIT B

“Competency” Criteria Pursuant to Education Code section 44955(b)

For the purposes of Education Code section 44955(b), “Competent” shall be defined as follows:

(1) In order to work at Road to Success Academy, experience teaching and specialized training in the Road to Success Academy’s customized curriculum for female incarcerated high school students.

(2) In order to work in Challenger Memorial Youth Center, specialized training in the facility wide implementation of the Positive Behavior Interventions and Supports (PBIS) that meets the requirements of Section 5 of the Casey A. Settlement Agreement.
BEFORE THE LOS ANGELES COUNTY SUPERINTENDENT OF SCHOOLS,
STATE OF CALIFORNIA

RESOLUTION REGARDING RELEASE OF EMPLOYEES SERVING IN TEACHING
POSITIONS REQUIRING CERTIFICATION QUALIFICATIONS PURSUANT TO
TEMPORARY CONTRACTS

RESOLUTION NO. 8

WHEREAS, the County Superintendent currently employs various persons serving in
教学 positions pursuant to temporary employment contracts;

WHEREAS, some employees’ temporary contracts indicate an expiration date of
June 30, 2012, at the latest;

WHEREAS, Education Code Section 44954 arguably requires the County
Superintendent to notify certain temporary employees before the end of the school year of the
County Superintendent’s decision to not reelect the employee for the next succeeding school
year;

WHEREAS, the County Superintendent wishes to terminate the services of the below
listed employees serving in teaching positions pursuant to temporary employment contracts;

WHEREAS, the County Superintendent wishes to provide notice to employees whose
services will not be continued into next school year, of their nonreelection and release from
employment (effective upon the close of the current school year), so such individuals may
commence consideration of employment alternatives elsewhere for the next school year;

WHEREAS, the County Superintendent reserves the right to identify additional similarly
situated employees as planning for educational services for the coming school year continues;

NOW, THEREFORE, BE IT DETERMINED, that the individuals identified in
Exhibit A serving pursuant to temporary contracts are not reelected for the next succeeding
school year and are released from employment with the Los Angeles County Superintendent of
Schools effective upon the last day of this current school year or their temporary contract,
whichever occurs first:
BE IT FURTHER DETERMINED that the Assistant Superintendent of Human Resources or his designee(s) provide notice to each employees identified in Exhibit A of his or her release and non reelection effective upon the close of the 2011-2012 school year or the expiration of any applicable temporary contract (whichever occurs first), and that his or her employment with the Los Angeles County Superintendent of Schools is thereby ended accordingly.

The foregoing Determination was made on the ___ day of _____________, 2012.

_________________________
Arturo Delgado, Ed.D.
Los Angeles County Superintendent of Schools
WHEREAS, pursuant to Education Code Section 44955, the County Superintendent is required, as between employees who first rendered paid service to the County Superintendent on the same date, to determine the order of termination solely on the basis of the needs of the programs administered by the County Superintendent and the students participating in those programs; and

WHEREAS, Education Code Section 44955 requires that upon the request of any employee whose order of termination is determined as stated above, the County Superintendent shall furnish in writing no later than five days prior to the commencement of the hearing held in accordance with Section 44949, a statement of the specific criteria used in determining the order of termination and the application of the criteria in ranking each employee relative to the other employees in the group.

NOW, THEREFORE, BE IT DETERMINED, as follows:

1. That the County Superintendent determines that the needs of the programs under his jurisdiction and the students participating in those programs are best served by resolving seniority ties within the meaning of Education Code Section 44955, subdivision (b) (third paragraph) and Section 44846, by applying the criteria set forth in paragraphs 4 through 10 below;

2. That as between employees who first rendered paid service to the County Superintendent in a probationary position on the same date, the order of termination of said employees shall be determined by reference to the criteria which follow and the application thereof to each employee;

3. That the criteria set forth in paragraphs 4 through 7 below are listed in priority order and each criterion shall be used only if the preceding criteria do not delineate the order of termination;

4. As between certificated employees possessing the same seniority date as defined in Education Code Section 44845, then employees who possess authorization to teach English Language Learners (i.e. CLAD, BCLAD, SDAIE certification pursuant to SB 1969 or SB 395, LDS certification) will be regarded as having greater seniority for purposes of determining seniority order than employees who do not possess such authorization;
5. Assuming that the preceding paragraphs do not resolve all ties between employees having the same seniority date, then employees with the following authorizations, in order of preference, will be regarded as having greater seniority for purposes of determining seniority order:
   a. Clinical Rehabilitative, Language, Speech, and Hearing
   b. Deaf and Hard of Hearing
   c. Visually Impaired
   d. Adapted Physical Education
   e. Resource Services (RSP/RST)
   f. Severely Handicapped/Moderate-Severe
   g. Learning Handicapped/Mild-Moderate
   h. OT/PI
   i. Early Childhood
   j. Standard Fisher
   k. General Elementary/Secondary/Special Education
   l. Ryan Elementary/Secondary
   m. Single Subject
   n. Multiple Subject

6. Assuming that the preceding paragraphs do not resolve all ties between employees having the same seniority date, employees possessing the greater number of non-provisional credentials that may be used in rendering service to the County Superintendent will be regarded as having greater seniority for purposes of determining seniority order than employees possessing the lesser number of such credentials;

7. Assuming that the preceding paragraphs do not resolve all ties between employees having the same seniority date, then employees with the following provisional credentials, in order of preference, will be regarded as having greater seniority for purposes of determining seniority order:
   a. District Intern
   b. University Intern
   c. Variable Term Waiver
   d. Provisional Internship Permit
   e. Short Term Staff Permit

8. Assuming that the preceding paragraphs do not resolve all ties between employees having the same seniority date, then employees with earlier first dates of paid service to the County Superintendent in any capacity will be regarded as having greater seniority for purposes of determining seniority order than employees with later first dates of paid service to the County Superintendent in any capacity;
9. Assuming that the preceding paragraphs do not resolve all ties between employees having the same seniority date, then employees with an earlier date of first certification by the California Commission on Teacher Credentialing (CCTC) will be regarded as having greater seniority for purposes of determining seniority order than employees with a later date of first certification by CCTC;

Such criteria shall be applied to rank the order of individuals for purposes of layoff and reemployment, subject to exceptions allowed by law;

The foregoing Resolution was adopted by the Los Angeles County Superintendent of Schools on the ___ day of ______________, 2012.

__________________________________________
Arturo Delgado, Ed.D.
Los Angeles County Superintendent of Schools
BEFORE THE LOS ANGELES COUNTY SUPERINTENDENT OF SCHOOLS
STATE OF CALIFORNIA

RESOLUTION REGARDING RELEASE AND/OR NON-REELECTION OF
EMPLOYEES SERVING IN TEACHING POSITIONS REQUIRING
CERTIFICATION QUALIFICATIONS PURSUANT TO VARIABLE TERM
WAIVERS, SHORT TERM STAFF PERMITS, PROVISIONAL INTERNSHIP
PERMITS, OR OTHER PROVISIONAL CREDENTIALS

RESOLUTION NO. 10

WHEREAS, the County Superintendent currently employs various persons
serving in teaching positions, including those identified in Exhibit A attached hereto, as
employees serving solely pursuant to a variable term waiver, short term staff permit,
provisional internship permit, or other provisional credential within the meaning of
Education Code Section 44911;

WHEREAS, pursuant to Education Code Section 44911, the time served by
employees serving in teaching positions pursuant to variable term waivers, short-term
staff permits, provisional internship permits, or other provisional credentials cannot be
included in computing the service required as a prerequisite to attainment of or eligibility
to classification as a permanent employee;

WHEREAS, judicial interpretations of Education Code Section 44911 establish
that the County Superintendent may provide notice after March 05 to an employee
serving under a provisional credential of the County Superintendent’s decision to not
reelect the employee for the succeeding school year;

WHEREAS, as the County Superintendent reviews the educational priorities of
the Los Angeles County Office of Education and the methods and means of providing
educational services and determines the kinds of personnel required, and the County
Superintendent intends to decrease, where possible, reliance upon employees serving in
certificated staffing positions pursuant to variable term waivers, short-term staff permits,
provisional internship permits, or other provisional credentials, and recognizes such effort
to be consistent with elevating the training and/or experience levels of its certificated
staff to provide the most highly qualified certificated staff available for students served
by the County Superintendent and Los Angeles County Office of Education;

WHEREAS, the employment of persons pursuant to variable term waivers, short-
term staff permits, provisional internship permits, or other provisional credentials is
governed by and subject to such unavailability of other certificated individuals, yet the
County Superintendent believes current circumstances indicate a significant probability
exists that a sufficient number of fully credentialed teachers (for example, possessing
preliminary or clear credentials), and/or qualified internship teachers, and/or more highly
trained and/or experienced certificated employees will be available to perform the
services of those employees listed below, so that the County Superintendent cannot at this time fulfill the legal prerequisites contained within statutes individuals listed below will accordingly not be reemployed in by the County Superintendent;

WHEREAS, the short-term staff permit cannot be renewed and is available to a candidate only once in a lifetime, and variable term waivers are valid only for one year, with renewal subject to conditions which result in such certificates not being automatically renewed;

WHEREAS, for the above reasons whether considered individually or cumulatively, the County Superintendent wishes to terminate the services of the employees identified in Exhibit A attached hereto effective upon the close of this current school year;

WHEREAS, this action is based upon educational priorities and not financial considerations;

WHEREAS, the County Superintendent wishes to provide notice to employees whose services will not be continued into next school year, of their nonreelection and release from employment (effective upon the close of the current school year), so such individuals may commence consideration of employment alternatives elsewhere for the next school year;

WHEREAS, the County Superintendent reserves the right to identify additional similarly situated employees as planning for educational services for the coming school year continues;

NOW, THEREFORE, BE IT DETERMINED, that the employees identified in Exhibit A attached hereto be and are not reelected for the next succeeding school year and are released from employment with the Los Angeles County Superintendent of Schools effective upon the last day of this current school year.

BE IT FURTHER DETERMINED, that the Assistant Superintendent, Human Resource Services, or designee, provide notice to each of the above employees of his or her release and nonreelection effective upon the close of 2011-2012 school year or the expiration of any applicable temporary contract (whichever occurs first), and that his or her employment with the Los Angeles County Superintendent of Schools is thereby ended accordingly;

The foregoing Determination was made on ____ day of March 2012.

Arturo Delgado, Ed.D.
Los Angeles County Superintendent of Schools