

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT
BOARD OF EDUCATION
SPECIAL BOARD MEETING

Wednesday, March 6, 2013

South Monterey County Joint Union High School District
800 Broadway
King City, CA 93930

BOARD OF EDUCATION

Mike Foster – President
Raul Rodriguez - Clerk
Paulette Bumbalough – Member
Debra McAlahney-Dodson - Member
Bob White – Member

STATE ADMINISTRATOR

Daniel Moirao, Ed.D.

OPEN SESSION: 5:25 PM

A. CALL TO ORDER

B. PUBLIC COMMENT

The public may address the Board concerning items that are scheduled for discussion during closed session by completing the Request to be Heard Form provided on the table at the entrance to the meeting room and submitting the card to the Executive Assistant prior to the Board adjourning to closed session.

El publico puede dirigirse a la Mesa Directiva de Educación con respecto a asuntos que están enlistados para dialogar durante la sesión a puertas cerrada completando asi la forma que se le da a la comunidad para poder hablar durante la sesión, esta forma se encuentra en la entrada de la junta donde se lleva acabo la sesión y entregando esta tarjeta a la Secretaría de el Superintendente antes de que la Mesa Directiva de Educación de por terminada la junta.

CLOSED SESSION: 5:30 PM

- A. Public Employment
- B. Employee Discipline/Dismissal Release
- C. Negotiations with Employee Organizations
- D. Threatened/Potential Litigation

OPEN SESSION: 6:00 PM

A. CALL TO ORDER

B. FLAG SALUTE

C. REPORT OF CLOSED SESSION ACTIONS

D. APPROVAL OF AGENDA

- E. PUBLIC COMMENT: *The public may address the Board regarding general school district topics or a specific agenda item. The person wishing to speak must complete a Request to be Heard Form prior to the meeting, indicating whether they wish to address a non-agenda item or a specific item and present it to the Executive Assistant. This is an opportunity to address*

the Board when that item is acted upon. Unless otherwise determined by the Board/State Administrator, each person is limited to 3 (three) minutes. If a large number wish to speak on a specific item, there is a limit of 20 minutes total input on an item.

*El público puede dirigirse a la Mesa Directiva de Educación con respecto a asuntos generales o a asuntos especificados en la agenda. La persona que quiera hablar debe de completar la forma que se le da a la comunidad pidiendo permiso antes de la junta, indicando si se desea hacer algún comentario sobre un tema de la agenda o algún otro asunto y presentarlo a la *Secretaria* de el Superintendente. Esta es una oportunidad de dirigirse a la Mesa Directiva de Educación cuando un asunto se este llevando acabo. A menos que se determine de otra manera por el Administrador de el Estado, cada persona tiene un máximo de 3 minutos para hablar. Se hay muchas personas que quieran hablar sobre un asunto específico entonces habráun limite de 20 minutos en total para cada asunto.*

F. EMPLOYEE ORGANIZATIONS

G. ACTION ITEMS

1. Approval of Resolution #17:12/13 Resolution to Eliminate Certificated Employees Due to a Reduction of Services (**Daniel Moirao, Ed.D., State Administrator**) (Pages 1-3)
2. Approval of Resolution #18:12/13 Tie Breaking Criteria Resolution for Same Date of Hire (**Daniel Moirao, Ed.D., State Administrator**) (Pages 4-6)

H. SIGNING OF PAPERS

I. ADJOURNMENT (TO CLOSED SESSION) (if required)

SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT
GOVERNING BOARD

SUBJECT:
Resolution 17: 12/13 Reduction in Particular Kinds of Service

MEETING: March 6, 2013

AGENDA SECTION:

- ACTION**
- INFORMATION**
- ACTION/CONSENT**

Board Goals:

- Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
- Develop/Sustain Fiscal Crisis Long-Term Solution
- Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- Ensure that Facilities are Safe for Staff and Students
- Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

Summary:

Pursuant to Education Code Section 44955 the School District must adopt a resolution to reduce or eliminate particular kinds of services and notice the appropriate certificated staff no later than March 15, 2013. In planning for the 2013-2014 academic year a reduction of particular kinds of service have been identified. The criterion listed reflects both the short-term and long-term teacher needs of services for our students. The approval of this Resolution will set into motion the layoff process for certificated staff.

Recommendation:

It is recommended that Resolution Number 17:12/13 be approved.

Fiscal Impact:

Implementation of this resolution will result in a financial savings to the district.

Submitted By:

Approved:

Claudia Arellano
Human Resources Administrator

Daniel R. Moirao, Ed.D.
State Administrator

**SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT
RESOLUTION NO. 17: 12/13**

**RESOLUTION TO ELIMINATE CERTAIN CERTIFICATED EMPLOYEES
DUE TO A REDUCTION OF PARTICULAR KINDS OF SERVICES FOR THE
2013-2014 SCHOOL YEAR**

WHEREAS, Education Code section 44955 permits the Governing Board to reduce or discontinue particular kinds of services not later than the beginning of the next school year; and

WHEREAS, the Governing Board of the District has determined that it shall be necessary to decrease the following programs and services of the District no later than the beginning of the 2013-2014 school year; and

WHEREAS, it shall be necessary to terminate at the end of the 2012-2013 school year the employment of certain certificated employees of the District as a result of the elimination of the programs and services; and

WHEREAS, the Governing Board/State Administrator of the District has further determined that among employees who first rendered paid service to the District on the same day, the order of termination will be based solely on the needs of the District and students thereof;

THEREFORE, BE IT RESOLVED by the Governing Board/State Administrator of the District that the following particular kinds of services shall be reduced or eliminated no later than the beginning of the 2013-2014 school year:

English	3.0 FTE
Mathematics	1.5 FTE
Science	0.5 FTE
Continuation Teacher	1.0 FTE
ELD Coaches	1.5 FTE
Counselors	2.0 FTE
Total	9.5 FTE

BE IT FURTHER RESOLVED that the District may deviate from terminating certificated employees in order of seniority, based on a specific need for personnel who possess special training and/or experience, or competency, necessary to teach specific courses or courses of study or to provide specific services, which others with more seniority do not possess, as follows:

1. Highly Qualified/No Child Left Behind compliant Mathematics Teachers with clear single subject credentials to instruct curriculum beyond the 9th grade level
2. Certification to instruct mild-to-moderate, moderate-to-severe students and/or resource specialist and Highly Qualified/No Child Left Behind compliant in specific content areas of Science, Mathematics, Social Studies and/or English.
3. Highly Qualified / No Child Left Behind compliant in specific content areas of Science, Mathematics, Social Studies and/or English and assigned to teach in the Continuation High School and/or Independent Study School program.

BE IT FURTHER RESOLVED that the State Administrator or his designee is directed to send appropriate notices to all employees whose positions may be lost by virtue of this action. Nothing herein shall be deemed to confer any status or rights upon temporary certificated employees or other employee in addition to those specifically granted to such employees by statute.

PASSED AND ADOPTED by the State Administrator of the South Monterey County Joint Union High School District this 6th day of March, 2013.

I, Daniel R. Moirao, Ed.D, hereby certify that the foregoing is a true and correct copy of the resolution duly and regularly adopted by the State Administrator of the South Monterey County Joint Union High School District at meeting thereof held on the 6th day of March, 2013.

Daniel R. Moirao, ED.D. State Administrator
South Monterey County Joint Union High School District
County of Monterey, State of California

**SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT
GOVERNING BOARD**

SUBJECT: Resolution #18:12/13
Tie Breaking Criteria Resolution for Determining
Order of Seniority for Employees with Same Date of Hire

MEETING: March 6, 2013

AGENDA SECTION:

ACTION

INFORMATION

ACTION/CONSENT

Board Goals:

- _____ Improve/Sustain Student Achievement through STAR Test and Other Assessment Measures
- _____ Improve School Climate and Student Discipline in Support of Teaching, Learning and Student Safety
- X _____ Develop/Sustain Fiscal Crisis Long-Term Solution
- _____ Ensure Board and Administrator Participation in CSBA's Masters in Governance and Other Trainings
- _____ Ensure that Facilities are Safe for Staff and Students
- _____ Ensure compliance with Education/Other Codes/Updating Board Policies and Administrative Regulations

Summary:

In anticipation of certificated layoffs for the 2013-2014 academic school year, the process to break a tie for any teachers having the same date of hire and all things being equal must be established. The attached resolution addresses the criteria that will be used for breaking such a tie.

Recommendation:

It is recommended that the State Administrator approve Resolution #18:12/13 Criteria for determining order of seniority for those employees with the same date of first paid service.

Fiscal Impact:

Any decrease in services will be a financial savings to the school district.

Submitted By:

Approved:

Claudia Arellano
Human Resources Administrator

Daniel R. Moirao, Ed.D.
State Administrator

**SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT
RESOLUTION #18:12/13**

**CRITERIA FOR DETERMINING ORDER OF SENIORITY FOR THOSE
EMPLOYEES WITH THE SAME DATE OF FIRST PAID SERVICE**

WHEREAS, Education Code section 44955 provides for the termination of certificated employees because of reduction of particular kinds of services;

WHEREAS, the order of termination is generally based on the date a teacher first rendered paid service in a probationary position;

WHEREAS, as among employees who first rendered paid service to the District on the same date, the law requires the Board of Education to determine the order of termination solely on the basis of the needs of the District and its students;

THEREFORE, be it resolved that to meet the requirements of section 44955, the following point system shall be used for determining the order of seniority for those hired on the same date, with the person with the most points having the greatest relative seniority:

<u>CERTIFICATION TYPE</u>	<u>POINTS</u>
1. Clear Single Subject Credential	5 per credential
2. NCLB Highly Qualified Status in subjects currently taught	10
3. Clear Special Education Credential	10
4. Earned advanced degree(s) beyond the BA / BS level	5 per degree
5. Single Subject Mathematics Credential	10
6. Single Subject Science Credential	10
<i>If, after applying items 1 through 6 above, a tie(s) remains, the following shall be used:</i>	
7. For each accredited college/university semester unit or recognized district unit earned after acquiring a BA or BS	1 per semester unit
<i>If, after applying items 1 through 7 above, a tie(s) remains, the following shall be used:</i>	
8. For each complete year of teaching experience in grades 9-12	1 per year
<i>If, after applying items 1 through 8 above, a tie(s) remains, it shall be resolved by lottery.</i>	

I, Daniel R. Moirao, Ed.D., State Administrator of the South Monterey County Joint Union High School District, hereby certify that the foregoing is a true and correct copy of the resolution duly and regularly adopted by the State Administrator at meeting thereof held on the 6th day of March, 2013.

Daniel R. Moirao, Ed.D.
State Administrator
South Monterey County Joint Union High School District
County of Monterey, State of California