

**RESOLUTION NO. 64-1920**

**RESOLUTION OF THE GOVERNING BOARD  
OF THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
REGARDING THE REDUCTION OR DISCONTINUANCE  
OF PARTICULAR KINDS OF SERVICE (CERTIFICATED LAYOFF)**

**WHEREAS**, the Governing Board of the West Contra Costa Unified School District has determined it is necessary to reduce or discontinue particular kinds of services of the District for the 2020-2021 school year in accordance with Education Code sections 44949 and 44955; and

**WHEREAS**, due to the reduction or discontinuance of services, the Governing Board has determined that it is in the best interest of the District that the number of regular certificated employees of the District be reduced; and

**WHEREAS**, the Governing Board has considered all positively assured attrition, including all deaths, resignations, retirements, nonreelections, and other permanent vacancies for 2020-2021 and, but for attrition already assured, the Governing Board would have found it necessary to reduce additional services; and

**WHEREAS**, the Governing Board is authorized by Education Code section 44955 to establish criteria based upon the needs of the District and its students for determining the order of termination as between certificated employees with the same seniority date; and

**WHEREAS**, Education Code section 44955 provides that the services of no permanent employee may be terminated while any probationary or other employee with less seniority is retained to render a service which the permanent employee is certificated and competent to render; and

**WHEREAS**, Education Code section 44955 authorizes the District to deviate from terminating certificated employees in order of seniority where the District demonstrates a specific need for personnel to teach a specific course or courses of study, or to provide services authorized by the appropriate credential or authorization, and that the certificated employee has special training and experience necessary to teach that course or course of study or to provide those services, which others with more seniority do not possess.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Board of the West Contra Costa Unified School District:

1. That the particular kinds of service set forth below may be reduced or discontinued at the commencement of the 2020-2021 school year:

Chief Academic Officer	1.0	F.T.E.
Director, Charters Oversight	1.0	F.T.E.
Director, Academic Intervention	1.0	F.T.E.
Executive Director, K-12 School	6.0	F.T.E.

Director, Student Services	1.0	F.T.E.
Director, Dual Immersion Mandarin K-8	1.0	F.T.E.
Director, College and Career	1.0	F.T.E.
Director, Curriculum and Instruction	1.0	F.T.E.
Coordinator	7.0	F.T.E.
Principal, Alternative Education	1.0	F.T.E.
Vice Principal, Elementary	14.0	F.T.E.
Vice Principal, K-8	5.0	F.T.E.
Assistant Principal MS	2.0	F.T.E.
Assistant Principal, High School	5.0	F.T.E.
Instructional Specialist – K-12	3.0	F.T.E.
Elementary Teacher, Grades K-8	159.0	F.T.E.
Counselor	13.0	F.T.E.
Psychologists	3.0	F.T.E.
Physical Education Teacher	13.0	F.T.E.
Social Science Teacher	14.0	F.T.E.
English Teacher	13.0	F.T.E.
Mathematics Teacher	12.0	F.T.E.
Life Science Teacher	7.0	F.T.E.
Physical Science Teacher	3.0	F.T.E.
Art Teacher	3.0	F.T.E.
Music Teacher	3.0	F.T.E.
Spanish	3.0	F.T.E.
French	1.0	F.T.E.
Interior Maintenance	1.0	F.T.E.
Finance and Business	1.0	F.T.E.
Public Service	1.0	F.T.E.

2. That “competency” for the purpose of Education Code section 44955 shall be determined upon current possession of a preliminary or clear credential for the subject matter or grade level and the certificated employee having taught the class to which they will be assigned at the beginning of the 2020-2021 school year at least one (1) semester in the past ten (10) years.

3. That due to the need of the District to retain those individual teachers with credentials in hard to fill positions, the Superintendent or designee is authorized to deviate from terminating those employees in order of seniority in the areas of BCLAD, and Special Education, Special Education - Adaptive Physical Education.

4. That, except as required by law, the order of termination shall be based solely on the needs of the District and its students as determined by the following criteria which shall be applied to resolve ties in seniority between certificated employees. These criteria are listed in priority order and each criterion shall be used only if the preceding criteria do not determine the order of termination:

- a. Preference is given to a teacher possessing a credential in areas of critical need, defined to be mathematics, special education, and science;
- b. Preference is given to a teacher possessing a clear credential over preliminary;
- c. Preference is given to a teacher possessing a preliminary credential over a Intern, Short Term Staff Permit or Provisional Intern Permit,
- d. Preference is given to a teacher who has multiple teaching authorizations as defined by their credential;
- e. Preference is given to a teacher who possesses more years of teaching service outside the District for which the teacher received years of service credit on the certificated salary schedule when they were employed by the District;
- f. Preference is given to a teacher who has more units applied toward salary schedule placement;
- g. If a tie still exists after application of criteria a. to f., the tie shall be broken by lot. Numbers shall be drawn with the lowest number drawn winning the tie and continuing until all remaining tied individuals are ranked in order.

5. Pursuant to Education Code section 44846, for persons having a statutory reemployment preference, the order of rehire as between employees who first rendered paid service on the same day shall be determined according to the same criteria described in paragraph #4., above.

6. That the Superintendent or designee is directed to send appropriate notices to all employees whose positions may be affected by virtue of this action in accordance with the provisions of the Education Code and to afford all such employees all rights to which they are entitled under law.

**PASSED AND ADOPTED** by the following vote of the members of the Governing Board of the West Contra Costa Unified School District of Contra Costa County, State of California, this 26<sup>th</sup> day of February, 2020.

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Dated: \_\_\_\_\_

Secretary to the Governing Board