

LAY OFFS: SPECIAL BULLETIN

San Bernardino Teachers Association – CTA/NEA

March 2, 2010:

- The District Board of Education voted to issue Reduction in Force Notices to 317 employees, including 196 certificated positions which will be reduced or eliminated beginning 2010-2011 school year. These positions are: 169 K-6; 4 Physical Education; 14 high school (English, math, science, social studies); 7 middle school (math, science, social studies), and 2 counseling services.
- The Board of Education also approved a resolution applying whether or not an employee possesses “appropriate English Learner (EL) authorization” as a “skipping criteria.” This means that, except for school counselors without teaching credentials, nurses and psychologists for whom there is no such requirement, the District can “skip” over a less senior employee who possesses EL authorization and, instead, issue a lay off notice to a more senior employee who is required to but does not currently possess the EL authorization.
- SBTA President Rebecca Harper addressed the Board asking that members be given extra time to complete the requirement, but the Board’s decision was to go forward with the “skip criteria.”
- SBTA members receiving Reduction in Force notices because of not possessing EL authorization and who complete and file their EL authorization with the District this school year will be removed from the list at that point.

March 15, 2010:

- The date by which California Education Code requires that a District serve notice of lay off to those employees affected by the reduction or elimination of particular kinds of service. Notices are sent by certified mail to the last known address Human Resources has on file for that employee. Do **Both** Payroll **and** Human Resources have your correct address?
- Credentials, additional degrees, supplementary authorizations, years of employment inside San Bernardino and prior to coming to SBCUSD, as well as post-secondary credits on file as of February 1, 2010 are considered valid. **Is your file current for this data?**

WHAT DOES THIS MEAN FOR ME?

- SBTA members who receive these notices need to contact SBTA **immediately**. Time is of the essence in lay offs. SBTA Members are entitled to the following:
 1. The right to request a hearing before an administrative law judge;
 2. Representation by an attorney in that hearing.

WHAT HAPPENS NEXT?

Meetings will be scheduled at SBTA for members receiving notices with the attorney who will represent members in the hearing. SBTA Reps will have that schedule following the March 10 Rep Council meeting.

The attorney will explain hearing procedures, rehire rights, and what issues must be resolved in the lay off process. These issues could include: accuracy of seniority placement, credit for previous experience, “skipping rights,” “bumping rights.” These issues could alter a member’s status in a lay off situation.

**SBTA IS HERE TO ASSIST OUR MEMBERS WHO FACE LAY OFF.
STAY IN TOUCH WITH SBTA SITE REPS AT YOUR SCHOOL.**