

Santa Barbara School Districts

Board Policy

BP 4117.3

Personnel

PERSONNEL REDUCTION

The Governing Board may reduce the number of certificated personnel, or their hours and wages, due to any of the following conditions: (Education Code 44955)

1. Declining enrollment, provided that the percentage of reduction in probationary and permanent certificated personnel shall not exceed the corresponding percentage of student attendance lost.
2. Reduction or discontinuance of programs or services.
3. State-mandated modification of the curriculum, or
4. The fiscal crisis that may occur after enactment of the Budget Act when the total revenue limit per ADA has not increased by at least two percent. (Education Code 44955.5)

The Board recognizes that its authority in the reduction of personnel is subject to legal requirements. Except as otherwise provided by statute, a permanent employee who is certificated and competent to render a service shall not be terminated or given a reduction in hours and wages while a probationary employee or other employee with less seniority is retained to render the service. (Education Code 44955)

To be considered competent, an employee must have academic training and one year of full-time experience in the specialized area to which the district would be able to assign him/her. The district will also consider the recency of the employee's experience.

Legal Reference:

EDUCATION CODE

44830	Employment of certificated persons
44949	Dismissal of probationary employees
44955	Reduction in number of permanent employees
44955.5	Termination of certificated employees
44956-44959.5	Rights of employees

GOVERNMENT CODE

3543.2 Scope of representation

COURT DECISIONS

Menagh v. Montebello Unified School District (1993) 20 Cal.App.4th 1846

Forker v. Board of Trustees (1984) 160 Cal.App.3d 13

Moreland Teachers Assoc. v. Kurze (1980) 109 Cal.App.3d 648

King v. Berkeley Unified School District (1979) 89 Cal.App. 3d 1016

Policy: SANTA BARBARA ELEMENTARY/HIGH SCHOOL DISTRICTS

Adopted: May 18, 1971 Santa Barbara, California

Revised: March 8, 2000