

Downey Unified School District

CERTIFICATED PERSONNEL

ORDER OF EMPLOYMENT FOR PURPOSES OF LAYOFF

AR 4111.1

The order of employment of certificated personnel shall be established and maintained as a permanent record.

The order of employment shall be established for employees having the same beginning date of paid probationary service by the date of the offer of employment.

The order of employment shall be permanent as long as the person remains in the employ of the District. The name of any person who terminates his/her employment with the District shall be removed after a period of 39 months has elapsed.

Any errors discovered in the records showing the order of employment shall be corrected.

Personnel in positions assigned to the certificated salary schedules shall be subject to layoff at the close of a school year whenever it becomes necessary to reduce personnel due to (1) reduced enrollment, or (2) reduction or discontinuance of a particular kind of service.

The services of permanent employees will not be terminated while any probationary employee, or any other employee with less seniority, is retained to render a service which said permanent employee is certificated and competent to render. The order of layoff for employees having the same date for rendering first paid probationary service shall be based upon the needs of the District and the students.

Notice to the Board of Education and the employee that termination due to layoff has been recommended shall be given not later than March 15th in the manner prescribed in the Education Code.

Final notice of termination due to layoff shall be given not later than May 15th in the manner prescribed in the Education Code.

Order of Layoff

If it is determined that reductions are to be made, all employees in the District who are involved in the reduction shall be ranked according to the order of employment as provided in the policy and administrative regulations on Order of Employment.

Layoff of certificated personnel shall be based on the order of employment and the needs of the District and the students.

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continued

AR 4111.1

Order of Layoff - continued

Assignments and reassignments shall be made in such a manner that employees who might otherwise be terminated under the policy shall be retained to render any service to which their seniority, certification, and qualifications entitle them to render.

Notice of Recommended Layoff

If it has been determined that a layoff of personnel under provisions of this policy is necessary, the Superintendent or designee shall give written notice to the Board of Education and to each employee no later than March 15th that it has been recommended that his/her services will not be needed for the ensuing school year. The notice shall be delivered by registered U.S. mail to the employee or served personally upon the employee.

The reason for the recommendation, the employee's right to request a hearing, and other rights of the employee shall be included with the notification.

Final Notice of Termination

Final notices to an employee that his/her services will not be required will be given in writing no later than May 15th following formal action by the Board of Education. The notice will be delivered by registered U.S. mail or served personally upon the employee.

Reinstatement

Employees who attain 70 years of age while in layoff status will not be reinstated.

1. Permanent Employees

Any permanent employee on layoff status who, for a period of 39 months from the effective date of termination, has not attained the age of 70 years shall have the preferred right to reappointment in the order of original employment if the number of employees is increased, or the discontinued service is re-established with no requirements that were not imposed upon other employees who continued in service.

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1. Permanent Employees - continued

The period of absence of any such employee shall not be considered as a break in the continuity of service, but the period of absence shall not count as a part of the service required for retirement. He/she shall retain the classification, salary placement, and order of employment held at the time of termination.

During the period of his/her preferred right to reappointment, any such employee shall, in the order of original employment, be offered prior opportunity for substitute service during the absence of any other employee who has been granted a leave of absence or who is temporarily absent from duty. His/her services may be terminated upon the return to duty of the other said employee.

The aforesaid right to reappointment may be waived by the employee, without prejudice, for not more than one school year; such waiver shall not deprive the employee of the right to subsequent offers of reappointment within the 39 month period. The reinstatement list shall be maintained for at least 39 calendar months or until all persons have been reinstated, whichever is sooner.

At any time prior to the completion of one year after his/her return to service a permanent employee reappointed under the provisions of this Section 1 may elect to continue or make up with interest his/her State Teachers' Retirement System contribution for the period of his/her absence.

2. Probationary Employees

A probationary employee on layoff status who, for a period of 24 months from the effective date of termination, has not attained the age of 70 years shall have the preferred right to reappointment subject to the prior rights to reappointment by all permanent employees as set forth in Section 1. Such reappointment shall be in the order of original employment, as determined by the Board of Education in accordance with the appropriate Education Code sections, if the number of employees is increased or the discontinued service is reestablished. No requirements shall be imposed which were not imposed upon other employees who continued in service.

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CERTIFICATED PERSONNEL

ORDER OF EMPLOYMENT FOR PURPOSES OF LAYOFF -
continued

AR 4111.1

2. Probationary Employees - continued

The period of absence during the preferred right to reappointment period shall not be considered as a break in the continuity of service if the employee is reappointed. However, the period of absence shall not count as part of the service required for attaining permanent status in the District.

During the period of preferred right to reappointment any such employee shall, in the order of original employment and subject to the rights of permanent employees, be offered prior opportunity for substitute service during the absence of any other employee who has been granted a leave of absence or who is temporarily absent from duty. His/her services may be terminated upon the return to duty of the other said employee, but he/she shall retain his/her previous classification and rights and be given priority over an employee whose right to a position was derived from having served as a temporary employee for a certificated employee during 75% of the time schools were maintained during the preceding school year.

At any time prior to the completion of one year after return to service, an employee reappointed under the provisions of this Section 2 may elect to continue or to reinstate membership in the State Teachers' Retirement System as if no absence from service had occurred by paying into the Retirement System his/her share and the District's share of contribution attributable to the period of absence and the amount of any contributions withdrawn, plus interest.

Approved: 7/8/76