

VENTURA COUNTY OFFICE OF EDUCATION

SUPERINTENDENT POLICY NO. 4117.3

ADOPTED: 02/14/96

CLASSIFICATION: Personnel

REVISED:

SUBJECT: Personnel Reduction

Certificated employees shall be subject to layoff for declining enrollment or reduction in program services. Whenever a certificated employee is laid off, the order of layoff shall be determined by seniority and certification.

In the event two or more employees have equal seniority and are equally ranked for certification qualifications, the order of termination will be determined as follows:

A panel shall be formed consisting of the Associate Superintendent, Educational Services, the Director responsible for the affected program and the administrator(s) of the affected site(s). In the event the site administrator's position would be affected by the decision, an alternate site administrator will be appointed by the Associate Superintendent, Educational Services.

This panel shall use the following criteria to determine which of the equally-ranked employees best meets the needs of the Ventura County Office of Education and the students.

1. Area of Credential
2. Flexibility for staffing because of multiple credentials
3. Major and minor fields of study
4. Experience in subject area of credential
5. Evaluation history
6. Affirmative action
7. Extra-duty capability
8. Bilingual skills

These criteria and the application thereof shall be made available to any employee whose order of termination is so determined, upon written request as prescribed in Education Code Section 44955.

Additional procedures as defined in Education Code Section 44955, and any related sections, including future revisions, additions or deletions shall be applied.

Reemployment shall be in the reverse order of layoff. "Seniority" shall be determined by employment date. Employment date shall be deemed to have been the date upon which the employee first rendered paid service in a Certificated probationary position. (E.C. 44845)

"Certificated Position" shall mean every position requiring certification qualifications, with the following exceptions:

Substitutes

Extra Assignments, in addition to full-time assignment

Notices of termination as may be required, shall be mailed to the last address of record on file in the Ventura County Office of Education.

Each certificated employee shall notify the Director, Human Resources of his/her current address, no later than September 15 of each year.

Each certificated employee shall notify the Director, Human Resources of any change of address, within ten (10) days of the date of the change.

Certification ranking qualifications will be based solely on valid credentials recorded in the Ventura County Office of Education at the time the ranking is determined.

It shall be the sole responsibility of each certificated employee, prior to March 1 of each year, to record with the Ventura County Office of Education Human Resources Department, all valid credentials that may be relevant to the ranking process.

A seniority ranking list of all certificated employees shall be maintained by the Director, Human Resources. The seniority ranking list shall be available to all certificated employees and shall be transmitted to each school site annually. Any challenge by an individual of his/her ranking on such seniority list shall be made in writing to the Director, Human Resources, no later than March 1 of each year.

Reemployment / Reinstatement

Definition:

Reemployment: To rehire an individual that was previously an employee of the Ventura County Office of Education, who does not qualify for reinstatement. (If re-employed, the individual will be entitled to the same benefits as any new employee of the organization.)

Reinstatement: To rehire an individual that was previously an employee of the Ventura County Office of Education, who meets the criteria for reinstatement of certain rights and benefits that may have accrued during the period of previous employment.

Any former employee who voluntarily resigns from a position in the Ventura County Office of Education may subsequently apply for any vacant position in the County Office of Education. All qualifications for the position must be met. The former employee has no specific rights to reemployment or reinstatement.

Criteria for Reinstatement: Any non-probationary employee who voluntarily resigns from a regular position may request reinstatement to a position in the County Office of Education.

Reinstatement must take place within thirty-nine (39) months after the last day of paid service. The employee's final performance evaluation must have been satisfactory and reinstatement is conditioned upon the approval of the department head to fill an existing vacancy.

If reinstatement is effected to the same classification, all rights, benefits and burdens of a non-probationary employee shall be restored. If reinstatement is effected to a different classification, the probationary period specified for the position, if any, will apply. (E.C. 44931)

Benefits of Reinstatement:

Upon reinstatement, sick leave accrued at the time of termination shall be reinstated. If sick leave was previously transferred to another public education agency, only sick leave available for transfer from the last public education employer shall be reinstated. (E.C. 44931)

Upon reinstatement, seniority for the period of time in a paid status shall be reinstated. (E.C. 44931)

Upon reinstatement to the same classification, step placement on the salary schedule shall be reinstated. If reinstated to a different position, step placement on the salary schedule shall be determined by the County Superintendent of Schools, based on the individual situation. (E.C. 44931)