



**LOS ANGELES UNIFIED SCHOOL DISTRICT**  
**Board of Education Report**

<b>Report Number:</b>	308-08/09
<b>Date:</b>	April 14, 2009
<b>Subject:</b>	Rescission of Reduction in Force Notices to Permanent Certificated Elementary Teachers
<b>Responsible Staff:</b>	
Name	Vivian K. Ekchian, Interim Chief Human Resources Officer
Office/Division	Human Resources Division
Telephone No.	(213) 241-6131

**A. EXECUTIVE SUMMARY**

**Action Proposed:** It is recommended that the Board of Education:

1. Determine that it is no longer necessary to lay off permanent certificated elementary teachers at the end of the 2008-2009 school year. (Attachment A)
2. Rescind prior Board action (Report Number 272-08/09-Revised) authorizing Reduction in Force Notices to Permanent Certificated Teachers.
3. Authorize the Human Resources Division to send new letters rescinding the previous March 15 lay off notices to permanent elementary teachers.
4. Authorize the Office of General Counsel to notify the Office of Administrative Hearings that there will not be a need for the lay off hearings.

**Staff Recommendation and Rationale:**

It is proposed that the Board of Education rescind prior Board action (Board Report 272-08/98-Revised) authorizing Reduction in Force notices to permanent certificated elementary teachers. These March 15 notices were authorized to give the District maximum flexibility to reduce or discontinue particular kinds of services based on anticipated budgetary reductions for the 2009-2010 school year. Based on Superintendent Cortines' strong recommendation to schools to purchase elementary teachers, academic coaches and support personnel with federal stimulus Title I funds coupled with the anticipation of fewer reductions in Assistant Principal, EIS positions and projected retirements and resignations of elementary personnel, it is proposed that



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lay-off notices to permanent elementary teachers be rescinded for the 2009-2010 school year. (Attachment A)

### **Background:**

Based on prior Board action; March 15 lay off notices were authorized to be sent to 1,996 permanent certificated elementary teachers. Permanent elementary teachers were given the opportunity to request a hearing conducted by the Office of Administrative Hearings to determine whether there was cause for the lay off. The Office of General Counsel has been coordinating the preparation for the hearings in conjunction with the Human Resources Division.

In addition, prior Board action authorized lay off notices to be sent to 3,975 non-permanent certificated personnel including 1,605 elementary teachers, 1,872 secondary teachers, and 498 support services personnel. Furthermore, 2,875 reduction in force/reassignment notices were sent to certificated administrators, supervisory employees, confidential employees, and staff counsel advising them that they may be released/reassigned from their position at the end of this school year. Approval of the action to rescind notices for permanent elementary teachers would not affect these other actions previously taken.

### **Policy Implications:**

Approval of this Board communication gives the Human Resources Division authority to send new letters rescinding the March 15 lay off notices to permanent certificated elementary teachers. Approval of this Board communication also authorizes the Office of General Counsel to cancel the lay off hearings for permanent elementary teachers.

### **Budget Impact:**

The District will continue to pay the salary and benefits costs for these permanent certificated elementary teachers for the 2009-2010 school year. All costs associated with the lay off hearings will be eliminated. (Attachment B)

### **Issues/Considerations:**

Approval of this Board communication provides for the retention of experienced, credentialed, and fully trained permanent elementary teachers. Rescission of the lay off notices eliminates the disruption of the current school year's educational program caused by permanent elementary teachers attending the lay off hearing, in particular during the upcoming standardized testing and reporting (STAR) periods. In addition, there will be greater stability at the school sites as a result of fewer lay offs, displacements, and reassignments.



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- Effect of “yes” vote:** A “yes” vote rescinds prior Board action authorizing the lay off of permanent certificated elementary teachers; authorizes the Human Resources Division to send rescission letters; and authorizes the Office of General Counsel to cancel the lay off hearings.
- Effect of “no” vote:** A “no” vote retains the prior Board action authorizing the lay off of permanent certificated elementary teachers.



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### B. BOARD REPORT

**Action Proposed:** It is recommended that the Board of Education:

1. Determine that it is no longer necessary to lay off permanent certificated elementary teachers at the end of the 2008-2009 school year. (Attachment A)
2. Rescind prior Board action (Report Number 272-08/09-Revised) authorizing Reduction in Force Notices to Permanent Certificated Teachers.
3. Authorize the Human Resources Division to send new letters rescinding the previous March 15 lay off notices to permanent elementary teachers.
4. Authorize the Office of General Counsel to notify the Office of Administrative Hearings that there will not be a need for the lay off hearings.

**Expected Outcomes:** That the Board will rescind the Board action authorizing the lay off of permanent certificated elementary teachers; authorize the Human Resources Division to send rescission letters; and authorize the Office of General Counsel to cancel the lay off hearings.

**Board Options and Consequences:** The Board of Education has the option to rescind prior Board action (Board Report 272-08/98-Revised) authorizing Reduction in Force notices to permanent certificated elementary teachers, allowing for greater stability at the school sites as a result of fewer lay offs, displacements, and reassignments.

**Policy Implications:** Approval of this Board communication gives the Human Resources Division authority to send new letters rescinding the March 15 lay off notices to permanent certificated elementary teachers. Approval of this Board communication also authorizes the Office of General Counsel to cancel the lay off hearings for permanent elementary teachers.

**Budget Impact:** The District will continue to pay the salary and benefits costs for these permanent certificated elementary teachers for the 2009-2010 school year. All costs associated with the lay off hearings will be eliminated. (Attachment B)



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**Issues and Analysis:** Approval of this Board communication provides for the retention of experienced, credentialed, and fully trained permanent elementary teachers. Rescission of the lay off notices eliminates the disruption of the current school year's educational program caused by permanent elementary teachers attending the lay off hearing, in particular during the upcoming standardized testing and reporting (STAR) periods. In addition, there will be greater stability at the school sites as a result of fewer lay offs, displacements, and reassignments.

**No legal issues**

**Legal informative attached**

**Committee Information:** Not applicable

**Reporting Requirements and Benchmarks:** Not applicable

**Accountable Staff:** Vivian K. Ekchian

**Applicable Board Delegations:** Not applicable

**Superintendent's Comments:** Not applicable

**Miscellaneous Issues and Matters:** Not applicable

**Desegregation Impact Statement attached**

**Division of Accountability and Systemwide Performance**

**Informative**



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Respectfully submitted,

RAMON C. CORTINES  
Superintendent of School

APPROVED &  
PRESENTED BY:

A handwritten signature in cursive script, appearing to read "V. Ekchian".

VIVIAN K. EKCHIAN  
Interim Chief Human Resources Officer  
Human Resources Division

APPROVED BY:

DR. JAMES MORRIS  
Chief of Staff

LOS ANGELES UNIFIED SCHOOL DISTRICT

Human Resources Division

**ELEMENTARY WORKFORCE PROJECTIONS  
2009-2010 ACADEMIC YEAR**

RIF FACTORS	ORIGINAL PROJECTED REDUCTIONS	ADJUSTMENTS	REVISED PROJECTED REDUCTIONS
K-3 Class Size (24:1)	1,673		
4-5 Class Size (31:1)	267		
6 Class Size (35:1)	235		
Total	2,175	916 (Positions Bought Back With Title I & II Funds)	1,259
Eliminate Elementary Coaching Positions	788	260 (Positions Bought Back With Title I & II Funds)	528
Eliminate Assistant Principal Elementary Intervention Specialist (APEIS)	423	200 (Positions Retained)	223
Return of Administrators to Teaching Positions	242	171 (Positions Retained)	71
Return of Advisers to Teaching Positions	210	0 (No Change)	210
<b>TOTAL (Without Retirements)</b>	<b>3,838</b>	<b>1,547</b>	<b>2,291</b>
Current Retirements filed as of 4/10/09		600	(600)
<b>TOTAL (With Retirements)</b>	<b>3,838</b>	<b>2,147</b>	<b>1,691</b>

LOS ANGELES UNIFIED SCHOOL DISTRICT  
HUMAN RESOURCES DIVISION

REDUCTION IN FORCE (RIF) COST ESTIMATE FOR HEARINGS

FUNCTION	30 DAYS of Hearings With Day-to-Day Substitutes
Substitute Teachers in Place of Teachers Attending Hearings (1,200 Substitute Teachers)	8,957,730 (1,791,504)*
School Police - Overtime (10 School Police Officers)	150,409
School Safety Officer - Overtime (10 School Safety Officers)	81,632
Building & Ground Worker - Overtime (5 B&G Workers)	36,209
Supplies: Envelopes & Paper	222
Postage (1,200 notices - Certified & U.S. 1 <sup>st</sup> class)	6,888
Administrative Law Judges (ALJ)	44,880
ALJ Writing Decision	14,960
Court Reporters	30,000
Transcripts Fee	10,000
Outside Attorneys/Legal Cost	150,000
Other Support Staff and In-Kind Staff	60,000
<b>TOTAL RIF COST ESTIMATE FOR HEARINGS<sup>1</sup></b>	<b>\$ 9,542,930</b>

\*Assumes 6 Days use of Employee Personal Necessity

<sup>1</sup>The cost of holding hearings for 30 days is equivalent to 111 teachers/positions with an average annual salary and benefits of \$85,300.

- Day-to-Days Substitute daily rate and benefits \$248.82
- School Police - Overtime daily rate and benefits (8 hrs/day) \$501.36
- School Safety Officer - Overtime daily rate and benefits (8 hrs/day) \$272.11
- Building & Ground Worker - Overtime daily rate and benefits (8 hrs/day) \$241.39
- Administrative Law Judges daily rate \$1,496.00
- Court Reporters daily rate \$1,000.00