

PASO ROBLES JOINT UNIFIED SCHOOL DISTRICT
GOVERNING BOARD RESOLUTION NO. 20-17

IN THE MATTER OF:
Non-Reemployment of Certificated Employees

The following RESOLUTION was duly passed by the Governing Board of the Paso Robles Joint Unified School District, at a regular meeting held on May 12, 2020 by the following roll call vote:

Stephanie Ulibarri	_____
Christopher Arend	_____
Joel Peterson	_____
Chris Bausch	_____
Lance Gannon	_____
Tim Gearheart	_____
Joan Summers	_____

Signed and approved by me after its passage:

Stephanie Ulibarri, President

Attest:

Christopher Arend, Clerk

WHEREAS, prior to March 15, 2020, this Governing Board authorized the reduction or elimination of particular kinds of certificated services no later than the beginning of the 2020-21 school year; and

WHEREAS, prior to March 15, 2020, the Superintendent's designated representatives served notices to the appropriate certificated employees that it has been recommended that each of their services will not be required for the 2020-21 school year, pursuant to Education Code sections 44949 and 44955; and

WHEREAS, the notices served upon those certificated employees advised them that they could request a hearing before the Governing Board to determine if there was cause for not reemploying them for the 2020-21 school year and that if they failed to timely request a hearing, that failure shall constitute a waiver of the right to a hearing and his/her services will accordingly be terminated pursuant to the recommendation; and

WHEREAS, various employees did not request a hearing or rescinded their right to a hearing regarding the recommendation and thereby each waived their right to a hearing; and

WHEREAS, the particular kinds of services will be discontinued and reduced within the meaning of Education Code section 44955 no later than the beginning of the 2020-21 school year; and

WHEREAS, the services of no permanent or other certificated employee are being terminated, in whole or in part, while any probationary or other certificated employee with less seniority is retained to render a service which said permanent or other employee is certificated and competent to render within the meaning of Education Code section 44955(b); the individuals whose employment is being terminated, in whole or in part, are not certificated and competent (within the meaning of Education Code section 44955) to render the service being performed by any employee with less seniority who is being retained; and

WHEREAS, sufficient cause exists for the termination of certificated positions and, pursuant to and within the meaning of Education Code section 44949, said cause relates to the welfare of the schools and the pupils thereof; and

WHEREAS, rights to reemployment are at times provided to certificated employees whose services were terminated as a result of layoff, however, this current Resolution does not supersede any prior resolution by this Governing Board nor reinstates any right to further employment or reemployment, so that any employee previously notified of non-re-election or non-renewal for the following school year possesses no right to reemployment as a result of adoption of this current Resolution.

NOW, THEREFORE, BE IT RESOLVED that sufficient cause exists for the termination of the services of the certificated employees identified by employee identification number in Attachment A and attached hereto, to the extent indicated therein; and

BE IT FURTHER RESOLVED that the employment of each of the certificated employees identified in Attachment A is hereby terminated effective the close of business on June 30, 2020; and

BE IT FURTHER RESOLVED that this decision is effective immediately and that the Superintendent or his designee(s) take such actions as are necessary and appropriate to implement this Governing Board's decision, including at least giving appropriate notice to those certificated employees of the termination of their services because of discontinuances and reductions of particular kinds of services to take effect upon the close of this school year, with these notices being given before May 15, 2020, in the manner prescribed in Education Code section 44949; and

BE IT FURTHER RESOLVED that reappointment rights be afforded in accordance with the Education Code, if and when reappointment is offered and to the extent any reappointment rights are applicable to any of the employees, unless this Governing Board has previously determined to not reelect that employee.

ATTACHMENT A

Employee Identification No.
607982
607947

FTE
1.0
1.0