

**BEFORE THE BOARD OF EDUCATION OF THE
SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA**

RESOLUTION

**DETERMINATION OF SENIORITY AMONG CHILD DEVELOPMENT PERMIT EMPLOYEES
WITH THE SAME SENIORITY DATE (“TIE-BREAKER RESOLUTION”)**

WHEREAS, pursuant to Education Code Section 8366, the Board is reducing or discontinuing particular kinds of services in Child Development; and

WHEREAS, the Board of Education shall approve a statement of the specific criteria used in determining the order of termination and re-employment, and the application of the criteria in ranking each employee to the other employees in the group.

NOW THEREFORE, BE IT RESOLVED, as follows:

1. That this Board determines that the needs of the District and the students of this District are best served by resolving seniority ties by applying the criteria set forth in paragraphs 4 through 8 below;
2. That as between employees who first rendered paid service to the district in a probationary position on the same date, the order of termination and re-employment of said employees shall be determined by reference to the criteria that follow and the application thereof to each employee;
3. That the criteria set forth in paragraphs 4 through 8 below are listed in priority order and each criterion shall be used only if the preceding criteria do not delineate the order of termination and re-employment;
4. As between Child Development Permit employees possessing the same seniority date, the employee holding a Bachelor’s degree wins the tie-breaker;
5. Assuming that the preceding paragraph does not resolve all ties between employees having the same seniority date, the employee who possesses a currently valid and properly-filed Child Development Site Supervisor Permit, or equivalent, will be regarded as having greater seniority for the purposes of determining seniority order than an employee possessing a Child Development Teacher Permit, or equivalent, and wins the tie-breaker;
6. Assuming that the preceding paragraphs do not resolve all ties between employees having the same seniority date, the employee who possesses a currently valid and properly-filed, Child Development Teacher Permit, or equivalent, will be regarded as having greater seniority for the purposes of determining seniority order than an employee possessing a Child Development Associate Teacher Permit, or equivalent;
7. Assuming that the preceding paragraphs do not resolve all ties between employees having the same seniority date, then the employee with the earliest original hire date within this District will be regarded as having greater seniority for purposes of determining seniority order;
8. Assuming that the preceding paragraphs do not resolve all ties between employees having the same seniority date, then the employee holding the highest current step placement on the salary schedule due to the greatest number of post-Bachelor’s degree units from an accredited institution of higher education will be regarded as having greater seniority for purposes of determining seniority order, and wins the tie-breaker.

Such criteria shall be applied to rank the order of individuals for purposes of layoff and reemployment, subject to exceptions allowed by law;

The foregoing Resolution was adopted by the Board of Education of the Santa Monica-Malibu Unified School District on the _____ day of March, 2018 by the following vote:

Ayes: _____
Noes: _____
Absent: _____
Abstentions: _____

Richard Tahvildaran-Jesswein, President
Board of Education
Santa Monica-Malibu Unified School District

I, Ben Drati, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its regular meeting held on March _____, 2018.

Ben Drati, Secretary
Board of Education
Santa Monica-Malibu Unified School District