



MT. DIABLO UNIFIED SCHOOL DISTRICT GOVERNING BOARD
RESOLUTION 21/22-47

Determination of Seniority Among Certificated Employees With The Same Seniority Date
("Tie-Breaker Resolution")

WHEREAS, Education Code section 44955(b), relating to certificated layoffs, provides in relevant part, "as between employees who first rendered paid service to the district on the same date, the governing board shall determine the order of termination solely on the basis of needs of the district and the students thereof;"

THEREFORE BE IT RESOLVED that, except as required by law, the order of termination shall be based solely on the needs of the District and its students as determined by the following criteria which shall be applied to resolve ties in seniority between certificated employees. These criteria are listed in priority order and each criterion shall be used only if the preceding criteria do not determine the order of termination:

1. Possession of a currently valid and properly filed credential authorizing service in special education programs
2. Possession of a currently valid and properly filed BCLAD certificate
3. Possession of a currently valid and properly filed regular credential (clear, professional clear, or preliminary)
4. Possession of a currently valid and properly filed CLAD or other valid certificate authorizing instruction to English Learners
5. Possession of a currently valid and properly filed credential or supplemental subject authorization permitting instruction in math or science
6. Possession of a currently valid and properly filed Designated Subjects Career Technical Education credential (clear, or preliminary)
7. Possession of additional currently valid and properly filed credentials (clear, professional clear, or preliminary) which authorize a broader scope of service. (This tie-breaker is to be repeated as applicable.)
8. Possession of additional currently valid and properly filed supplemental subject authorizations permitting instruction outside of the subject areas of math or science
9. Possession of National Board Certification
10. The certificated employee holding the highest current placement on the salary schedule. If there is a tie between employees who hold the same placement on the salary schedule higher priority will be given to the employee holding the most stipends, i.e. Master Degree stipend, Doctorate stipend, etc. (This tie-breaker is to be repeated as applicable.)
11. If a tie still exists after application of criteria 1 to 10, the tie shall be broken by lot. Numbers shall be drawn with the lowest number drawn winning the tie and continuing until all remaining tied individuals are ranked in order.

AYES: NOES: ABSENCES: ABSTENTIONS:

Debra Mason, Board President

Keisha Nzewi, Board Vice President

Cherise Khaund, Board Member

Linda Mayo, Board Member

Erin McFerrin, Board Member

Dr. Adam Clark, Superintendent

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Adopted at the meeting of the MDUSD Governing Board of Education on 02/02/2022
