

MDUSD BOARD OF EDUCATION
RESOLUTION NO. 19/20-42

Reducing the Number of Certificated Employees based on a Reduction or Discontinuance of
a Particular Kind of Service (PKS)

WHEREAS, the Governing Board of the Mt. Diablo Unified School District has determined it is necessary to reduce or discontinue particular kinds of services of the District for the 2020-2021 school year in accordance with Education Code sections 44949 and 44955; and

WHEREAS, due to the reduction or discontinuance of services, the Governing Board has determined that it is in the best interest of the District that the number of regular certificated employees of the District be reduced; and

WHEREAS, the Governing Board has considered all positively assured attrition, including all deaths, resignations, retirements, nonreelections, and other permanent vacancies for 2020-2021 and, but for attrition already assured, the Governing Board would have found it necessary to reduce additional services; and

WHEREAS, the Governing Board is authorized by Education Code section 44955 to establish criteria based upon the needs of the District and its students for determining the order of termination as between certificated employees with the same seniority date; and

WHEREAS, Education Code section 44955 provides that the services of no permanent employee may be terminated while any probationary or other employee with less seniority is retained to render a service which the permanent employee is certificated and competent to render; and

WHEREAS, Education Code section 44955 authorizes the District to deviate from terminating certificated employees in order of seniority where the District demonstrates a specific need for personnel with special training and experience to teach a specific course or courses of study or provide a specific service; and

WHEREAS, all temporary employees will be given notice that their services will not be needed in the 2020-2021 school year and no permanent employee will be terminated while any probationary or other employee with less seniority is retained to render a service which the permanent employee is certificated and competent to render.

THEREFORE BE IT RESOLVED by the Governing Board of the Mt. Diablo Unified School District that:

1. The particular kinds of service set forth below shall be reduced or discontinued no later than the beginning of the 2020-2021 school year:

District Wide	
Central Office Administrators	8.0 FTE
Site Administrators – Elementary Vice Principal	2.0 FTE
Site Administrators – Secondary Vice Principal	4.50 FTE

Site Administrators – Alternative Education	4.0 FTE
Elementary School Counselors	15.80 FTE
Middle School Counselors	5.50 FTE
High School Counselors	1.0 FTE
Elementary School Librarians	1.0 FTE
Middle School Librarians	3.20 FTE
High School Librarians	1.0 FTE
Teacher on Special Assignment (TOSA)	2.50 FTE
Beginning Teacher Support and Assessment Coach	2.0 FTE
ELD Support Teachers	13.80 FTE
Elementary Teaching Positions	
Multiple Subject	50.0 FTE
Instrumental Music	11.90 FTE
Vocal Music	1.0 FTE
Physical Education	5.0 FTE
Middle & High School Teaching Positions	
Middle School Core	3.0 FTE
Middle School ELD	1.0 FTE
Middle School ALD	1.0 FTE
High School ELD	0.20 FTE
Math	1.80 FTE
Life Science	1.80 FTE
Physical Science	1.40 FTE
English	6.0 FTE
Social Science	3.20 FTE
Physical Education	3.40 FTE
Health	0.80 FTE
Spanish	2.40 FTE
French	0.20 FTE
German	0.20 FTE
Alternative Education	2.60 FTE
Electives	
Hands on Technology	0.40 FTE
Computers	0.40 FTE
Robotics	0.20 FTE
Drama	0.40 FTE
Digital Media Arts	0.40 FTE
Web	0.20 FTE
Leadership	0.20 FTE
Woodshop	0.20 FTE

Makers Academy	0.20 FTE
Photo Arts	0.20 FTE
Video Production	0.20 FTE
Project Lead the Way – Medical Detectives	0.20 FTE
Project Lead the Way – Flight and Space	0.20 FTE
Academic Success	0.40 FTE
Rotation	1.0 FTE
AVID	1.40 FTE
Ceramics	1.0 FTE
Art	1.80 FTE
WASC	0.20 FTE
Yearbook	0.20 FTE
Citizen Law	0.20 FTE
ASB Prep	0.20 FTE
Work Experience	0.40 FTE
ASL	0.20 FTE
Career Tech	0.40 FTE
Instrumental Music	0.40 FTE
Piano	0.40 FTE
Guitar	0.20 FTE
Choir	0.80 FTE
JROTC	1.0 FTE
International Baccalaureate Coordinator	0.60 FTE
ELD Coordinator	0.50 FTE
CTEIG Support	0.20 FTE
Athletic Director	0.20 FTE at each high school site for a total of 1.0 FTE
Total:	177.10 FTE

2. “Competency” for the purpose of Education Code section 44955 shall be determined solely upon current possession of a preliminary or clear credential for the subject matter or grade level to which the employee will be assigned at the beginning of the 2020-2021 school year.
3. 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 criteria set forth in Board Resolution # 19/20-39, a copy of which is attached hereto, which shall be applied to resolve ties in seniority between certificated employees. The District and the Mt. Diablo Education Association (MDEA) will meet and apply these criteria as to potentially affected employees and administer a lottery.

4. There is a direct and specific need within the District for certificated employees who possess special training and/or experience, or competency, necessary to teach specific courses or courses of study or to provide specific services to students of the District, which others with more seniority do not possess, as follows:
 - a. Courses requiring Bilingual Cross-Cultural Language and Development (BCLAD) certificates, which are highly specialized programs requiring the possession and utilization of additional specialized certificates and/or credentials.
 - b. Courses requiring IB: Completion of District Approved International Baccalaureate training, which are highly specialized programs requiring the possession and utilization of additional training.
 - c. Bilingual School Counselors and Psychologists which are highly specialized fields.
 - d. Courses requiring Adaptive Physical Education credential or supplementary authorization which are highly specialized programs requiring the possession and utilization of additional specialized certificates and/or credentials.

Pursuant to Education Code section 44955(d)(1), it will be necessary to retain the services of certificated employees in the 2020-2021 school year, regardless of seniority, who possess these qualifications as demonstrated by the possession of a valid certificate and/or credential or special training and experience and use that certificate and/or credential or that special training and experience in the employee's 2020-2021 assignment.

5. The Superintendent or designee is directed to send appropriate notices to all employees whose positions may be affected by virtue of this action in accordance with the provisions of the Education Code and to afford all such employees all rights to which they are entitled under law.

Brian Lawrence, Board President

Debra Mason, Board Vice President

Cherise Khaund, Board Member

Joanne Durkee, Board Member

03/02/2020

Linda Mayo, Board Member

Date Signed

Adopted by the Governing Board on 03/02/2020.

Robert A. Martinez

Secretary to the Board