

FULLERTON SCHOOL DISTRICT  
Special Meeting of the Board of Trustees  
April 28, 2009, 4:00 p.m. Closed Session, 5:30 p.m. Open Session  
District Administrative Offices Board Room, 1401 W. Valencia Drive, Fullerton, California

Agenda

To: Board of Trustees and Press

From: Hilda Sugarman, President, Board of Trustees

Subject: The President of the Board of Trustees of the Fullerton School District has called a Special Meeting of said Board of Trustees to be held at the District Administrative Offices Board Room, 1401 W. Valencia Drive, Fullerton, California, on April 28, 2009, 4:00 p.m.

Call to Order and Pledge of Allegiance

Public Comments

4:00 p.m. - Recess to Closed Session – Agenda:

- Conference with District's Chief Negotiator regarding FETA (Fullerton Elementary Teachers Association) and CSEA (California School Employees Association); District Representative – Mr. Mark Douglas [Government Code sections 54954.5(f), 54957.6]
- Public Employee Discipline, Dismissal, Release, and Personnel Matters [Government Code sections 54954.5(d), 54957]
- Potential Litigation [Government Code section 54956.9(b)(1)]
- Confidential Student Services [Education Code sections 35146, 48918]

5:30 p.m. - Call to Order, Pledge of Allegiance, and Report From Closed Session

Public Comments

The Board meeting follows rules of decorum. The public may address the Board on items of public interest within the Board's jurisdiction. Per Board Bylaw 9323, individual speakers shall be allowed three minutes to address the Board on each agenda or non-agenda item. The Board limits the total time for public input on each item to 20 minutes. The total time allowed for public comment shall be 30 minutes. Public comments or questions about an item that is on the posted agenda will be heard at the time the agenda item is considered by the Board. Public comment about an item that is not on the posted agenda will be heard during this time. No action or discussion may take place on an item that is not on the posted agenda except as expressly authorized by law. Since the Board cannot take action on items that are not on the agenda, such items will be referred to the Superintendent for handling. Persons wishing to address the Board are invited to complete and submit a "request to speak" slip to the secretary. These slips are available at the reception counter.

Administrative Report

Budget Update

Action Item

- 1a. Adopt Resolution #08/09-21 eliminating identified classified positions effective July 1, 2009.

Adjournment

Attachment

ACTION ITEM

**DATE:** April 28, 2009  
**TO:** Mitch Hovey, Ed.D., District Superintendent  
**FROM:** Mark L. Douglas, Assistant Superintendent, Personnel Services  
**PREPARED BY:** Kathleen Carroll, Director, Classified Personnel Services  
**SUBJECT:** **ADOPT RESOLUTION 08/09-21 ELIMINATING IDENTIFIED CLASSIFIED POSITIONS EFFECTIVE JULY 1, 2009**

Background: The formal layoff process, which begins with Board adoption of a resolution, is a traditional process that allows for staffing flexibility as funding sources and/or job tasks are eliminated, reduced, or transferred. Although Education Codes 45114 and 45117 require adherence to this formal resolution and classified employee notification process, employees identified for layoff are usually transferred into comparable open positions as they become available at the start of a new school year. If an employee is not placed in a comparable position, he/she is allowed to exercise bumping rights and/or be placed on a 39-month reemployment list. If the employee agrees to placement into a position with fewer hours, another 24 months of reemployment rights are provided.

The Board of Trustees must approve a resolution of layoff prior to the implementation of staffing recommendations. Employee notification, bargaining unit negotiation and alternative placement, if necessary, will be made following Board approval. Positions identified for layoff are listed on the attached Resolution 08/09-21.

Rationale: A proposed reduction in District revenue requires the elimination of current and vacant positions. In anticipation of these funding reductions, open positions and future openings due to retirement, resignation, promotion, etc., will be utilized to restore employees placed on layoff.

Funding: Not applicable.

Recommendation: Adopt resolution 08/09-21 eliminating identified classified positions effective July 1, 2009.

MD:KC:ph  
Attachment

**FULLERTON SCHOOL DISTRICT  
RESOLUTION NO. 08/09-21**

**ELIMINATION OF IDENTIFIED POSITIONS OF PARTICULAR KINDS OF SERVICES NOW BEING PERFORMED  
BY CLASSIFIED STAFF**

WHEREAS, pursuant to Education Code Section 45308, it is the opinion of this Board that it has become necessary to eliminate particular kinds of services; and

WHEREAS, it is the opinion of this Board that the following particular kind of service be eliminated effective July 1, 2009:

- 3 Bus Drivers @ 25 hours/week (9.65 months)
- 1 Clerical Assistant II @ 8 hours/day (12.00 months)
- 1 Educational Media Technician @ 8 hours/day (11.00 months)
- 23 Educational Media Assistants @ varied hours (9.75 months)
- 1 Educational Media Assistant/BB @ 7 hours/day (9.75 months)
- 1 Electrician @ 8 hours/day (12.00 months)
- 1 Facilities Maintenance Inspector @ 8 hours/day (12.00 months)
- 1 Glazier/Painter @ 8 hours/day (12.00 months/vacant position)
- 2 Grounds Equipment Operators @ 8 hours/day (12.00 months)
- 1 HVAC @ 8 hours/day (12.00 months)
- 14 Instructional Assistants/Special Education I: 7 @ 6 hours/day, 2 @ 3.8 hours/day, 2 @ 3.5 hours/day, 3 @ 3.0 hours/day (9.50 months)
- 2 Instructional Assistants/Special Education II A: 1 @ 6.0 hours/day, 1 @ 3.5 hours/day (9.50 months)
- 1 Instructional Assistant/Special Education II B @ 3.5 hours/day (9.50 months)
- 1 Instructional Assistant/Technology @ 3.75 hours/day (9.50 months)
- 1 Locksmith @ 8 hours/day (12.00 months)
- 1 Reprographics Technician @ 8 hours/day (12.00 months)
- 1 Skilled Trade Lead @ 8 hours/day (12.00 months)
- 1 Supervisor of Operations @ 8 hours/day (12.00 months)
- 1 Welder @ 8 hours/day (12.00 months)

WHEREAS, it is the opinion of the Board that it is necessary by reason of the aforementioned elimination of service to decrease the number of classified positions by the equivalent of 58 positions effective July 1, 2009;

WHEREAS, in determining the amount of service to be eliminated, the Governing Board has considered all assured attrition due to resignations and retirements, and the elimination of positions identified above are necessary in addition to such attrition.

WHEREAS, the Education Code requires that various actions be taken and notices be forwarded no later than 45 days before the effective date of the layoff.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Board of the Fullerton School District, that effective July 1, 2009 the identified positions shall be and hereby are eliminated to the extent hereinabove set forth and that the Superintendent or designee is directed to give notice pursuant to Education Code Section 45117 of the position eliminations.

BE IT FURTHER RESOLVED, that the Superintendent, or designee, is delegated the authority to take all actions necessary and proper to the accomplishment of the purposes of this Resolution.

The Governing Board of the Fullerton School District adopted the foregoing Resolution on this 28<sup>th</sup> day of April 2009.

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Hilda Sugarman, President, Board of Trustees  
Fullerton School District

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Dr. Mitch Hovey, Superintendent  
Fullerton School District