

AMENDED IN SENATE APRIL 7, 2016

AMENDED IN SENATE APRIL 4, 2016

SENATE BILL

No. 1224

Introduced by Senator Huff

February 18, 2016

~~An act to add Section 44955.3 to the Education Code, relating to certificated school employees.~~ *An act to add Section 44955.3 to the Education Code, relating to certificated school employees.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1224, as amended, Huff. Certificated school employees: ~~probationary employees: dismissal or suspension: assignments and reassignments: seniority: reporting.~~

Existing law authorizes the governing board of a school district to decrease the number of permanent employees of a school district, based on seniority, when a reduction in workforce is required due to specific circumstances, as provided. Existing law prohibits, except as otherwise provided, the services of a permanent employee from being terminated in these situations while any probationary employee, or any other employee with less seniority, is retained to render a service which the permanent employee is certificated and competent to render. Existing law requires the governing board of a school district to make assignments and reassignments in a manner that employees are retained to render any service which their seniority and qualifications entitle them to render.

This bill would require a local educational agency that makes an assignment or reassignment of an employee due to seniority to report that assignment or reassignment to the State Department of Education. By imposing additional duties on local educational agencies, the bill

would impose a state-mandated local program. The bill would require the department to annually aggregate the number of assignments and reassignments reported and to make that number available to the public on its Internet Web site.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

~~Under existing law, when school employees are terminated pursuant to a reduction in workforce, a school district is required to terminate the employees in order of seniority, beginning with the least senior. Existing law authorizes a school district to deviate from terminating employees pursuant to a reduction in workforce in the order of seniority for specified reasons.~~

~~This bill would require a local educational agency that terminates an employee pursuant to a reduction in workforce in order of seniority to report that termination to the State Department of Education. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program. The bill would require the department to annually aggregate the number of terminations reported and to make that number available to the public on its Internet Web site.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 44955.3 is added to the Education Code,
- 2 to read:

1 44955.3. (a) A local educational agency that makes an
2 assignment or reassignment of an employee due to seniority
3 pursuant to subdivision (c) of Section 44955 shall report that
4 assignment or reassignment to the department.

5 (b) The department shall annually aggregate the number of
6 assignments and reassignments reported pursuant to subdivision
7 (a), and make that number available to the public on its Internet
8 Web site.

9 SEC. 2. If the Commission on State Mandates determines that
10 this act contains costs mandated by the state, reimbursement to
11 local agencies and school districts for those costs shall be made
12 pursuant to Part 7 (commencing with Section 17500) of Division
13 4 of Title 2 of the Government Code.

14 SECTION 1. Section 44955.3 is added to the Education Code,
15 to read:

16 44955.3. (a) A local educational agency that terminates an
17 employee in order of seniority pursuant to Section 44955 shall
18 report that termination to the department.

19 (b) The department shall annually aggregate the number of
20 terminations reported pursuant to subdivision (a), and make that
21 number available to the public on its Internet Web site.

22 SEC. 2. If the Commission on State Mandates determines that
23 this act contains costs mandated by the state, reimbursement to
24 local agencies and school districts for those costs shall be made
25 pursuant to Part 7 (commencing with Section 17500) of Division
26 4 of Title 2 of the Government Code.