



Acalanes Education Association

Newsletter


www.acalanesteachers.org

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AEA SOCIAL - SAVE THE DATE!



Our next social will be Friday, March 13th from 3:30-5:30 PM at The Metro in Lafayette. We hope you can join us after the site PD day!

FOR TEMP. & PROB. TEACHERS

Here are some answers to your temporary, probationary and lay-off questions:

By Lori Tewskbury

What is the difference between a lay-off, a non-reelection, and being released from a temporary contract?

When a certificated employee (teacher, counselor, nurse, librarian, psychologist, social worker) is hired, s/he can be hired on a temporary contract or a probationary contract (legally the District could also choose to hire the person as a permanent employee but I can't recall the District ever doing that). A temporary contract means that you are hired for the school year only with no guarantee of employment after that. There are limits to the number of temporary employees the District can have at any one time (can't be more than the number of people on leave and the number of categorically funded positions). People hired on a probationary contract are guaranteed a job in the District ongoing unless they are non-reelected or laid off (more on those

below). If you are hired as a probationary employee, typically you attain permanent status the first day of your 3rd year of service.

Temporary Employee Releases

People on a temporary contract are not guaranteed a job after the year for which they were hired. The District decided a few years back that it was "cleaner" to give all temporary employees letters of release (official letters that tell the temporary employee that their contract is up at the end of the year) before March 15th. After that, they rehire temporary employees as positions become available. Amy will hold a meeting with temporary employees to explain this process. We have argued that releasing everyone, even those the District knows it wants back is counterproductive. AEA's position is that temporary teachers who the District knows it wants to retain should not get a release letter and should just get a contract offer for next year. The District does not agree.

Non-re-elections

Up until March 15th of your second probationary year, the District can decide for any reason (no-cause) that they do not want to bring a probationary employee back (thus ending employment in the District). The District must inform the probationary teacher of its "non-reelect" decision prior to this date. The District is not legally required to give a reason and they won't. Usually the

District will allow someone who is non-reelected to decide to resign in lieu of being non-reelected.

Lay-Offs

Lay-offs happen for one of two reasons. Either the District wants to eliminate certain programs or the District needs to reduce staff because of the loss of enrollment. When they do lay-offs, they adopt a “particular kinds of services” (PKS) reduction resolution. This spells out what areas/subjects are being reduced and by how much. A PKS resolution may also include what is called “skip” criteria. This is criteria the District wants to use to skip seniority as the basis for lay-offs. Legally, without skip criteria, lay-offs are based on seniority only with tie-breaking criteria (more on that later) for people with the same seniority. Seniority is based on your hire date. AEA is not supportive of skip criteria as it pits members against each other and also throws in an element of surprise into an already super-stressful process. Seniority is a known entity. Tie-breaking resolutions lay out a point system for things that District deems valuable and these points are used to break any ties between people with the same seniority date. If the tie breaking criteria still results in a tie, then a coin is flipped to see who wins the tie.

There is a specific timeline for lay-offs. The District has to issue preliminary lay-off notices by March 15th. What these notices are saying is that someone might be laid off. If someone receives a preliminary notice is s/he is entitled to a hearing and we encourage anyone in that situation to request a hearing. At the hearing, we make arguments about why you shouldn't be laid off. In the past we have been successful getting some lay off notices thrown out which is why we strongly encourage people to request this hearing. By May 15th, the District has to deliver final lay-off notices. If you receive a final lay-off notice, that means there is no job for you in the following year but you do have re-hire rights, if a job for which you are qualified opens up. Probationary employees have 2 years of rehire rights and permanent employees have 3 years of rehire

rights. The Bottom Line for anyone who is released, receives a preliminary lay-off notice, or who is non-reelected The state of California is currently experiencing a pretty severe teacher shortage. Even our District, which prides itself on being a “destination” District, had difficulty getting all teaching positions filled when school started this year. If you are released as a temp (and not immediately offered a contract back for next year), receive a preliminary lay-off notice, or are non-reelected, start looking for another job now. Don't wait to see if you will get hired back or have your lay-off notice rescinded. Edjoin is a searchable database for positions and is a good place to start: www.edjoin.org

We want to support each other in this difficult time. Please reach out to your reps, Ken, or me if you have any questions or if there is anything we can do to help.

ANGELA NORMAND - ALAMEDA Co.



AEA Reps and Exec board voted to endorse and contribute to Angela Normand's campaign. Angela is a special education teacher, a CTA board member and is running for a place on the Alameda County Board of Education. Her opponent is pro-charter who is being funded by the charter industry. We support Angela and want her to win this election on March 3, 2020. If you live in Alameda County, please consider helping out February 11, 12, or 13 or donating to her campaign. Email Lori for more information or see our AEA webpage: www.acalanesteachers.org

IMPORTANT DATES

February 19: Negotiations; 8-3 at DO
February 19: Governing Board Meeting; 7pm at DO
February 25: AEA/District Schedule Design Group Meeting; 1-3:30 at the District Office
March 3: CTA Region 1 President's Meeting
March 4: Governing Board Meeting; 7pm at DO
March 5: AEA Rep Council Meeting at Las Lomas
March 12: CTA/Alcosta President's Forum
March 13: AEA Social; 3:30-5:30 (The Metro)