

BEFORE THE
GOVERNING BOARD OF
THE AMADOR COUNTY UNIFIED SCHOOL DISTRICT
STATE OF CALIFORNIA

In the Matter of the Reduction in Force of:

CERTAIN CERTIFICATED PERSONNEL
EMPLOYED BY THE AMADOR COUNTY
UNIFIED SCHOOL DISTRICT,

OAH No. 2010030964

Respondents.

PROPOSED DECISION

This matter was heard before Karen J. Brandt, Administrative Law Judge, Office of Administrative Hearings (“OAH”), State of California, in Jackson, California, on May 11, 2010.

Ben Hance, Attorney at Law, represented the Amador County Unified School District (“District”).

Thomas J. Driscoll, Jr., Attorney at Law, represented the respondents listed on Attachment A hereto (the “Represented Respondents”). The respondents listed on Attachment B hereto (the “Self-Represented Respondents”) represented themselves and were not represented by Mr. Driscoll.

On May 11, 2010, the District and the Represented Respondents agreed to certain joint stipulations, as set forth on Attachment C hereto (the “Joint Stipulations”).

FACTUAL FINDINGS

Represented Respondents

1. At the commencement of the hearing, the District and Represented Respondents notified Judge Brandt that they had agreed to the Joint Stipulations, and that the Joint Stipulations would result in a settlement of the matters set forth in the District’s Accusation dated April 5, 2010 (the “Accusation”), a copy of which is attached as Attachment D hereto, with respect to the Represented Respondents.

Self-Represented Respondents

2. Nina Neville, Director of Personnel of the District, credibly testified that the District had properly and timely served all of the Self-Represented Respondents, among others, with all notices required under Education Code sections 44949 and 44955. Included among these notices was a Notice of Layoff Hearing, dated March 30, 2010, which stated that the hearing would be held on May 11 and 12, 2010, at 9:30 a.m. None of the Self-Represented Respondents appeared at the hearing. Because the Self-Represented Respondents did not appear at the hearing on May 11, 2010, this matter proceeded as a default against them under Government Code section 11520.

3. Ms. Neville further testified that the District had properly and timely served respondent Kelli Thompson, among others, with a Statement to Respondents, dated March 30, 2010, pursuant to Government Code section 11505, which stated that unless a written request to contest the charges was delivered to the District's governing board (the "Board") within five (5) days of the date of the Accusation and such Statement to Respondents were personally served or mailed to said Respondent, the Board may proceed upon the Accusation without a hearing. The Board did not received a Notice of Defense from Ms. Thompson until April 16, 2010. Because Ms. Thompson did not serve a timely Notice of Defense upon the District's governing board, Ms. Thompson has waived her right to a hearing to determine if there is cause for not reemploying her for the ensuing year pursuant to Government Code section 11506(c).

Extension of Statutory Deadlines

4. The hearing of this matter was continued from its originally scheduled date of April 1, 2010 to May 11, 2010 by OAH Order dated March 25, 2010 pursuant to Government Code section 11524. Pursuant to Education Code section 44949(e), the dates prescribed in subdivision (c) of such section which occur on or after the date of granting the continuance and the date prescribed in subdivision (c) of Education Code section 44955 which occurs after the date of granting the continuance shall be extended for a period of time equal to the continuance.

LEGAL CONCLUSIONS

1. The District has complied with all notice and jurisdictional requirements set forth in Education Code sections 44949 and 44955.

2. The services identified in Resolution No. 09/2010-08, dated February 24, 2010, of the Board are particular kinds of services that may be reduced or eliminated under Education Code section 44955. The Board's decision to reduce or eliminate the identified services was neither arbitrary nor capricious, and was a proper exercise of its discretion.

3. Cause exists to reduce certificated employees of the District due to the reduction or elimination of particular kinds of services and/or due to a decline in the average daily attendance in all schools of the District for the first six months in which school was in session for the current school year of 2009-2010 below that of the corresponding period of the first six months of one or both of the comparison school years.

4. The reduction or elimination of services relates solely to the welfare of the District's schools and pupils within the meaning of Education Code section 44949.

5. Subject to giving effect to the agreements set forth in the Joint Stipulations, no junior employee is scheduled to be retained to perform services that a more senior respondent is certificated and competent to render.

6. Cause exists to give notice to the Represented Respondents consistent with the agreements set forth in the Joint Stipulations and to the Unrepresented Respondents.

7. This matter shall proceed as a default against the Self-Represented Respondents under Government Code section 11520.

8. Ms. Thompson has waived her right to a hearing to determine if there is cause for not reemploying her for the ensuing year pursuant to Government Code section 11506(c) due to her failure to serve a timely notice of defense upon the Board.

RECOMMENDATION

1. The Board shall adopt the Joint Stipulations reached by the District and the Represented Respondents. The Board may, if it so chooses, adopt the Joint Stipulations by implication via its adoption of this Proposed Decision in the form submitted to the Board.

2. Notice may be given to the Represented Respondents that their services will be reduced or will not be required for the 2010-2011 school year, consistent with the Joint Stipulations. Notice may be given to the Self-Represented Respondents that their services will be reduced or will not be required for the 2010-2011 school year. Notice will be given in inverse order of seniority.

3. Copies of this Proposed Decision shall be submitted to the Board and to the employee(s) on or before June 2, 2010 pursuant to Education Code section 44949(c). Notice of termination of services shall be given before June 11, 2010 pursuant to Education Code section 44955(c).

* * *

DATED:

KAREN J. BRANDT
Administrative Law Judge
Office of Administrative Hearings

BEFORE THE
GOVERNING BOARD OF
THE AMADOR COUNTY UNIFIED SCHOOL DISTRICT
STATE OF CALIFORNIA

ATTACHMENT A

LIST OF REPRESENTED RESPONDENTS

MONICA BANTTARI
KATHY BAPTISTA
LORRA BIDDLE
LAURIE BRAUN
LYNDA BURDICK
LESLIE CALESTINI
KELLY CHURCHILL
LINDA CRITCHFIELD
STEPHANIE DAVIS
DEBORAH DONAHOO
CARLY DUTSCHKE
KARA EDWARDS
DAN ENCISCO
ERMELINDA FOCHA-REED
SHELLIE HALBRITTER
JOHN HAWLEY
STEPHANIE HILL-LANG
SHELLY HIXSON
LISA HOWE
RAND HUGGETT
MICHAEL HUSS
STEVEN IMMER
JEANNETTE JENTZEN
LYNNETTE JORGENSEN
ERICA KANTACK
HEATHER KETEL

MATTHEW KING
CHRISTINE KUNZ
VIRGINIA MARCUCCI
RYAN MENDOSA
NAN MUZINICH
LISA NEVILLE-SEGURA
TIA PETERS
TODD PETERSON
AMY REILLY
JOANN RUTHERFORD
CATHY SNYDER
AMANDA STOGNER
CHRISTOPHER TOOTLE
LISA TRASSARE
PATRICIA VILLA
ALICIA WHITSON

BEFORE THE
GOVERNING BOARD OF
THE AMADOR COUNTY UNIFIED SCHOOL DISTRICT
STATE OF CALIFORNIA

ATTACHMENT B

LIST OF SELF-REPRESENTED RESPONDENTS

STEPHEN BOYES
KELLI THOMPSON

BEFORE THE
GOVERNING BOARD OF
THE AMADOR COUNTY UNIFIED SCHOOL DISTRICT
STATE OF CALIFORNIA

ATTACHMENT C
JOINT STIPULATIONS

[Attached]

**Amador County Unified School District
Teacher Reduction in Force
(OAH No. 2010030964)**

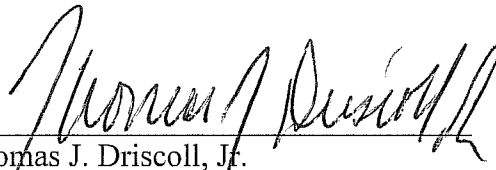
JOINT STIPULATIONS

The Amador County Unified School District (the "District") and the Represented Respondents listed on **Exhibit A** stipulate and agree as follows:

1. The matters set forth in paragraphs I, II, III, IV, V, VI, VIII (subject to the other stipulations set forth herein) and IX of the Accusation in the Matter of Amador County Unified School District Teacher Reduction in Force, dated March 30, 2010.
2. The District proposes to conduct its 2009/10 teacher reduction in force as described in the Layoff Analysis set forth in **Exhibit B**, and Represented Respondents raise no objection to the District conducting its 2009/10 teacher reduction in force as such.



Benjamin A. Hance
Attorney for District



Thomas J. Driscoll, Jr.
Attorney for Represented Respondents

**Amador County Unified School District
Teacher Reduction in Force
(OAH No. 2010030964)**

JOINT STIPULATIONS

**EXHIBIT A
REPRESENTED RESPONDENTS**

MONICA BANTTARI,
KATHY BAPTISTA,
LORRA BIDDLE,
LAURIE BRAUN,
LYNDA BURDICK,
LESLIE CALESTINI,
KELLY CHURCHILL,
LINDA CRITCHFIELD,
STEPHANIE DAVIS,
DEBORAH DONAHOO,
CARLY DUTSCHKE,
KARA EDWARDS,
DAN ENCISCO,
ERMELINDA FOCHA-REED,
SHELLIE HALBRITTER,
JOHN HAWLEY,
STEPHANIE HILL-LANG,
SHELLY HIXSON,
LISA HOWE,
RAND HUGGETT,
MICHAEL HUSS,
STEVEN IMMER,
JEANNETTE JENTZEN,
LYNNETTE JORGENSEN,
ERICA KANTACK,
HEATHER KETEL,

MATTHEW KING,
CHRISTINE KUNZ,
VIRGINIA MARCUCCI,
RYAN MENDOSA,
NAN MUZINICH,
LISA NEVILLE-SEGURA,
TIA PETERS,
TODD PETERSON,
AMY REILLY,
JOANN RUTHERFORD,
CATHY SNYDER,
AMANDA STOGNER,
CHRISTOPHER TOOTLE,
LISA TRASSARE,
PATRICIA VILLA,
ALICIA WHITSON

**Amador County Unified School District
Teacher Reduction in Force
(OAH No. 2010030964)**

EXHIBIT B

**AMADOR COUNTY UNIFIED SCHOOL DISTRICT
ANALYSIS OF TEACHER REDUCTION IN FORCE (2010-2011)**

	NAME	FTE	DOH	CLASS	ATTRITION	BUMP	LAYOFF	Rescissions
3.0 FTE Agriculture								
1	Clark, Shannon	1	8/14/2001	Permanent	—	—	—	
2	Ryan Mendosa	1	7/12/2004	Permanent	—	—	+	
3	Boyes, Stephen	1	8/10/2004	Permanent	—	—	+	
4	Dutschke, Carly	1	8/10/2006	Permanent	—	—	+	
2.1667 FTE Art								
5	Pretto, John	1	9/2/1975	Permanent	+ (retired)	—	—	
6	Butler, Amelia	.667	9/2/1980	Permanent	—	+ (Pretto)	—	
7	Huggett, Rand	1	1/19/1981	Permanent	—	—	—	+
7.1	Focha-Reed, Linda	.1667	8/3/1995	Permanent	—	—	+	
0.5 FTE Auto Mechanics								
8	Pantle, Allan	.5	8/26/1992	Permanent	—	—	+	
0.5 FTE ROP Auto Mechanics								
9	Pantle, Allan	.5	8/26/1992	Permanent	—	—	+	
2.5 FTE Business								
10	Neville, Kevin	1	8/31/1978	Permanent	—	—	—	
11	Banttari, Monica	.5	7/1/1985	Permanent	—	—	—	+
12	Lukens, Sherry	.667	8/26/1992	Permanent	+ (Retired)	—	—	
13	King, Matthew	1	9/6/2001	Permanent	—	—	+	
14	Farrell, Kelleen	.667	8/13/2002	Permanent	—	+ (Webb)	—	
15	Porta, Kevin	.1667	8/9/2007	Permanent	—	+ (Whitson)	—	
0.5 ROP Business								
16	Banttari, Monica	.5	7/1/1985	Permanent	—	—	—	+
2.0 FTE Counseling								
17	Davis, Janice	1	9/01/1977	Permanent	—	—	—	
18	Zaffarano,	1	8/29/1989	Permanent	—	—	—	

	Susan							
19	Rogers, John	1	9/21/1993	Permanent	—	—	—	
20	Martinez, Lori	1	7/31/1997	Permanent	—	+ (S. Alexander)	—	
21	Thompson, Kelli	1	10/1/1998	Permanent	—	—	+	
	1.0 FTE CAHSEE Remediation							
22	Larsen, Kristina	.1667	9/1/1977	Permanent	+ (retired)	—	+	
23	Lukens, Sherry	.1667	8/26/1992	Permanent	+ (retired)	—	+	
24	Floyd, Theresa	.1667	8/14/2001	Permanent	—	—	—	
25	Porta, Kevin	.1667	8/9/2007	Permanent	—	+ (Whitson)	—	
	0.833 FTE Drama							
26	Turner, Giles	.50	8/14/2003	Temp	—	—	+	
27	Rosselli, Melinda	.333	12/1/2005	Temp	—	—	+	
	2.5 FTE English							
28	Larsen, Kristina	.50	9/1/1977	Permanent	+ (retired)	—	+	
29	Cranford, William	1	8/25/1988	Permanent	—	—	—	
30	Norton, Jennifer	1	8/26/92	Permanent	—	—	—	
31	Casagrande, Debbie	1	1/25/1993	Permanent	—	—	—	
32	Port, Sue	1	7/31/1997	Permanent	+ (retired)	—	—	
33	Pawley, Randi	1	8/14/2001	Permanent	—	—	—	
34	Floyd, Teresa	.833	8/14/2001	Permanent	—	—	—	
35	Renee, Leslie	1	8/9/2005	Permanent	—	—	—	
36	Martin, Mary Yvonne	1	8/9/2005	Permanent	—	—	—	
37	Steacker, Leesa	1	8/10/2006	Permanent	—	—	—	
37	Gough, Matthew	.833	8/11/2008	Permanent	—	—	—	
38	Duggan, Cameron	1	8/17/2009	1 st Yr Prop	—	—	—	
39	Smithson, Katarina	1	8/17/2009	1 st Yr Prop	+ (resigned)	—	—	
	1.667 FTE Health							
40	Critchfield, Linda	.333	11/27/1995	Permanent	—	—	+	
41	Biddle, Lorra	.50	8/10/2006	Permanent	—	—	+	
42	Brown,	.50	8/17/2009	1 st Yr.	+ (non-reelect)	—	—	

	Judith			Prob				
2.5 FTE Home Economics								
43	Larsen, Kristina	.1667	9/1/1977	Permanent	+ (retired)	—	+	
44	Hill-Lang, Stephanie	1	8/25/1988	Permanent	—	—	+	
45	Critchfield, Linda	.334	11/27/1995	Permanent	—	—	+	
46	Brown, Judith	.50	8/17/2009	1 st Yr Prob	+ (non-reelect)	—	—	
47	Biddle, Lorra	.1667	8/10/2006	Permanent	—	—	+	
0.667 FTE ROP Home Economics								
48	Critchfield, Linda	.333	11/27/1995	Permanent	—	—	+	
0.33 FTE Industrial Arts								
49	Whitaker, James	.33	8/27/1984	Permanent	—	—	+	
1.0 FTE Mathematics								
50	Traverso, Gary	.667	9/1/1976	Permanent	—	—	—	
51	Webb, Howard	1	10/1/1981	Permanent	+ (retired)	—	—	
52	Nasiatka, Michael	1	8/28/1985	Permanent	—	—	—	
53	Walker, Brenda	1	8/29/1990	Permanent	—	—	—	
54	Lucke, Chris	1	8/28/1991	Permanent	—	—	—	
55	Signorotti, Allison	1	8/11/1999	Permanent	—	—	—	
56	Landerger, Gary	1	8/14/2001	Permanent	—	—	—	
57	Farrell, Kelleen	.1667	8/13/2002	Permanent	—	+ (Webb)	—	
58	Assenza, Tony	1	8/14/2003	Permanent	—	—	—	
59	Riggle, Terry	1	8/10/2006	Permanent	—	—	—	
60	Porta, Kevin	.667	8/9/2007	Permanent	—	+ (Whitson)	—	
61	Hovey, Matthew	1	8/17/2009	Permanent	—	—	—	
62	Whitson, Alicia	1	8/17/2009	1 st Yr Prop	—	—	+	
31 FTE Multiple Subject								
64	Plamondon, Carolyn	1	8/28/1974	Permanent	—	—	—	
65	Alexander, Sharon	1	8/27/1975	Permanent	+ (retired)	—	—	
66	Nasiatka, Nancy	1	8/31/1979	Permanent	—	—	—	
67	Srsen, Kathleen	1	9/1/1979	Permanent	—	—	—	

68	Wisneski, Peggy	1	9/1/1979	Permanent	—	—	—	
69	Alexander, Daniel	1	8/28/1980	Permanent	+ (retired)	—	—	
70	Reed, Karen	1	9/2/1980	Permanent	+ (retired)	—	—	
71	Grillo, Marianne	1	3/10/1982	Permanent	—	—	—	
72	Carder, Cynthia	1	8/30/1982	Permanent	+ (retired)	—	—	
63	Fredrick, Thomas	1	10/13/1983	Permanent	—	—	—	
73	Ross, Susan	1	8/27/1984	Permanent	—	—	—	
74	Kirkpatrick, Maxine	1	10/1/1985	Permanent	+ (retired)	—	—	
75	Carson, Janice	1	10/16/1986	Permanent	—	—	—	
76	Cowan, Deborah	1	10/12/1987	Permanent	—	+ (Multiple Subject)	—	
77	Tone, Elizabeth	1	9/22/1988	Permanent	—	—	—	
78	Linde, Toni	1	9/30/1988	Permanent	—	—	—	
79	McCaffrey, Greg	1	8/29/1989	Permanent	—	—	—	
80	Rock, Linda	1	8/29/1989	Permanent	—	—	—	
81	Pantle, Marianne	1	9/19/1989	Permanent	—	—	—	
82	Geraurd, David	1	9/25/1989	Permanent	—	—	—	
83	Casita, Lea	1	8/29/1990	Permanent	—	—	—	
84	Ohm, Carla	1	8/29/1990	Permanent	—	—	—	
85	Potts, Donald	1	8/29/1990	Permanent	—	—	—	
86	Robinson, Victoria	1	8/29/1990	Permanent	+ (retired)	—	—	
87	Brown, Janie	1	8/29/1990	Permanent	—	—	—	
88	Isotalo, Idamae	1	8/29/1990	Permanent	—	—	—	
89	Thomas, Stacey	1	8/29/1990	Permanent	—	—	—	
90	Wolin, Lori	1	8/29/1990	Permanent	—	—	—	
91	Reade, Nancy	1	8/29/1990	Permanent	+ (retired)	—	—	
92	Grady, Connie	1	4/18/1991	Permanent	+ (retired)	—	—	
93	Arnese, Theresa	1	9/9/1991	Permanent	—	—	—	
94	Holtz, Jackie	1	8/26/1992	Permanent	—	—	—	
95	Turner, Doug	1	8/26/1992	Permanent	—	—	—	
96	Delaney, Michael	1	9/28/1992	Permanent	—	—	—	

97	Scheidt, William	1	2/23/1993	Permanent	+ (retired)	—	—	
98	Bennetts, Pamela	1	8/25/1993	Permanent	—	—	—	
99	Dutschke, Ann	1	8/25/1993	Permanent	—	—	—	
100	Swensen, Pamela	1	8/25/1993	Permanent	—	—	—	
101	Robbins, Martha	1	8/25/1993	Permanent	+ (retired)	—	—	
102	Strandberg, Cort	1	8/25/1993	Permanent	—	—	—	
103	Mandeson, Julia	1	8/3/1995	Permanent	—	—	—	
104	Norton, Kelly	1	8/3/1995	Permanent	—	—	—	
105	Ohm, Todd	1	8/3/1995	Permanent	—	—	—	
106	Carney, Lisa	1	8/3/1995	Permanent	—	—	—	
107	Fuller, Christopher	1	8/3/1995	Permanent	—	—	—	
108	Wever, Kevin	1	8/3/1995	Permanent	—	—	—	
109	Trainor, Dan	1	8/22/1995	Permanent	—	—	—	
110	Clark, Shari	1	12/14/1995	Permanent	—	—	—	
111	Grattan, Daniel	1	8/1/1996	Permanent	—	—	—	
112	Six, Sarah	1	9/16/1996	Permanent	—	—	—	
113	Corner, Lesslie	1	9/23/1996	Permanent	—	—	—	
114	Kelly, Jane	1	10/14/1996	Permanent	—	—	—	
115	Dunne, Nancy	1	11/29/1996	Permanent	—	—	—	
116	Fredrick, Harlene	1	7/31/1997	Permanent	—	—	—	
117	Cahill, Paula	1	7/31/1997	Permanent	—	—	—	
118	Reddaway, Diana	1	7/31/1997	Permanent	—	—	—	
119	Tone, Lottie	1	8/10/1998	Permanent	—	—	—	
120	Price, Kathryn	1	8/10/1998	Permanent	+ (retired)	—	—	
121	Jongsma, Laurie	1	10/5/1998	Permanent	—	—	—	
122	Bergson, Rosemary	1	11/6/1998	Permanent	—	—	—	
123	Graves, Sonny	1	8/15/2000	Permanent	—	—	—	
124	Starrett, Gwen	1	8/15/2000	Permanent	—	—	—	
125	Kincaid, Sally	1	8/14/2001	Permanent	—	—	—	
126	Outland, Lance	1	8/14/2001	Permanent	—	—	—	

127	Keys, Timothy	1	8/14/2001	Permanent	—	—	—	
128	Larson-Scholtes, L.	1	8/14/2001	Permanent	—	—	—	
129	Mathany, Chris	1	8/14/2001	Permanent	—	—	—	
130	Crist, Betty	1	8/14/2001	Permanent	—	—	—	
131	Vasquez, Lynn	1	8/12/2002	Permanent	—	—	—	
132	Herberger, Carella	1	8/13/2002	Permanent	—	—	—	
133	Sargent, Regia	1	8/13/2002	Permanent	—	—	—	
134	Daly, Linda	1	8/13/2002	Permanent	—	—	—	
135	Huss, Michael	1	8/14/2003	Permanent	—	—	—	+
136	Rutherford, Joann	1	8/14/2003	Permanent	—	—	—	+
137	Stogner, Amanda	1	8/14/2003	Permanent	—	—	—	+
138	Donahoo, Debbie	1	8/14/2003	Permanent	—	—	—	+
139	Kunz, Christine	1	8/14/2003	Permanent	—	—	—	+
140	Reilly, Amy	1	8/14/2003	Permanent	—	—	—	+
141	Encisco, Daniel	1	8/14/2003	Permanent	—	—	—	+
142	Churchill, Kelly	1	8/10/2004	Permanent	—	—	—	+
143	Hawley, John	1	8/10/2004	Permanent	—	—	—	+
144	Muzinich, Nan	1	8/10/2004	Permanent	—	—	—	+
145	Immer, Steven	1	8/10/2004	Permanent	—	—	—	+
146	Neville-Segura, Lori	1	8/10/2004	Permanent	—	—	—	+
147	Halbritter, Shellie	1	9/7/2004	Permanent	—	—	—	+
148	Jentzen, Jeannette	1	9/27/2004	Permanent	—	—	—	+
149	Calestini, Leslie	1	9/27/2004	Permanent	—	—	—	+
150	Peterson, Todd	1	8/9/2005	Permanent	—	—	+	
151	Peters, Tia	1	8/10/2006	Permanent	—	—	+	
152	Braun, Laurie	1	8/10/2006	Permanent	—	—	+	
153	Smith, Kristin	1	8/10/2006	Permanent	—	—	+	
154	Burdick, Lynda	1	8/10/2006	Permanent	—	—	+	
155	Lefebvre, Julia	1	8/10/2006	Permanent	—	—	+	

156	Trassare, Lisa	1	8/10/2006	Permanent	—	—	+	
157	Villa, Patricia	1	8/9/2007	Permanent	—	—	+	
158	Jorgensen, Lynnette	1	8/9/2007	Permanent	—	—	+	
159	Davis, Stephanie	1	8/27/2007	Permanent	—	—	+	
160	Hixson, Shelly	1	9/17/2007	Permanent	—	—	+	
161	Snyder, Cathy	1	10/14/1996	1 st Yr Prob	—	—	+	
162	Kantack, Erica	1	8/11/2008	2 nd Yr Prob	—	—	+	
163	Ketel, Heather	1	8/11/2008	2 nd Yr Prob	—	—	+	
164	Edwards, Kara	1	9/22/2008	2 nd Yr Prob	—	—	+	
165	Howe, Lisa	1	8/17/2009	1 st Yr Prob	—	—	+	
166	Marcucci, Virginia	1	8/17/2009	1 st Yr Prob	—	—	+	
167	Baptista, Kathy	1	8/17/2009	1 st Yr Prob	—	—	+	
168	Davis, Glen	1	8/17/2009	1 st Yr Prob	+ (non-reelect)	—	—	
1.0 FTE Music								
169	Woodward, Brandt	1	9/6/1978	Permanent	+ (retired)	—	—	
170	Tootle, Chris	1	8/9/2005	Permanent	—	—	—	+
1.0 FTE Physical Education								
171	Tremelling, Mary	1	8/31/1979	Permanent	—	—	—	
172	Hunkins, Scott	.33	8/29/1989	Permanent	—	—	—	
173	Baker, Bill	1	10/8/1991	Permanent	—	—	—	
174	Davis, Jr., Ricky	1	8/11/1999	Permanent	—	—	—	
175	Foster, Carrie	1	8/11/1999	Permanent	—	—	—	
176	Cagle, Kaleb	1	8/17/09	Permanent	—	—	—	
177	Brazil, Justin	1	8/14/2006	Permanent	—	—	—	
178	Kearney, Kristina	1	8/9/2007	Permanent	—	—	—	
179	Hunkins, Kelly	1	10/13/1997	Permanent	—	—	—	
180	Speir, Kristi	1	8/11/2008	2 nd Yr Prob	+ (non-reelect)	—	—	
1.833 FTE Skills								
181	Butler, Amelia	.33	9/2/1980	Permanent	—	+ (Pretto)	—	

182	Hunkins, Scott	.1667	8/29/1989	Permanent	—	—	—	
183	Focha-Reed, Linda	.833	8/3/1995	Permanent	—	—	+	
184	Herberger, Mark	1	8/11/1999	Permanent	—	+ (Gr. 6 Multiple Subject)	—	

BEFORE THE
GOVERNING BOARD OF
THE AMADOR COUNTY UNIFIED SCHOOL DISTRICT
STATE OF CALIFORNIA

ATTACHMENT D

ACCUSATION

[Attached]

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**BEFORE THE GOVERNING BOARD OF THE
AMADOR COUNTY UNIFIED SCHOOL DISTRICT
COUNTY OF AMADOR, CALIFORNIA**

Case No.: 2010030964

In the Matter of the Accusation Against:

ACCUSATION

MONICA BANTTARI, KATHY BAPTISTA,
LORRA BIDDLE, STEPHEN BOYES,
LAURIE BRAUN, LYNDIA BURDICK,
LESLIE CALESTINI, KELLY CHURCHILL,
LINDA CRITCHFIELD, STEPHANIE
DAVIS, DEBORAH DONAHOO, CARLY
DUTSCHKE, KARA EDWARDS, DAN
ENCISCO, M. ERMELINDA FOCHA-REED,
SHELLIE HALBRITTER, JOHN HAWLEY,
STEPHANIE HILL-LANG, SHELLY
HIXSON, LISA HOWE, RAND HUGGETT,
MICHAEL HUSS, STEVEN IMMER,
JEANNETTE JENTZEN, LYNNETTE
JORGENSEN, ERICA KANTACK,
HEATHER KETEL, MATTHEW KING,
CHRISTINE KUNZ, VIRGINIA
MARCUCCI, RYAN MENDOSA, NAN
MUZINICH, LISA NEVILLE-SEGURA, TIA
PETERS, TODD PETERSON, AMY
REILLY, JOANN RUTHERFORD, CATHY
SNYDER, AMANDA STOGNER, KELLI
THOMPSON, CHRISTOPHER TOOTLE,
LISA TRASSARE, PATRICIA VILLA and
ALICIA WHITSON,

Respondents.

The undersigned, Richard Glock, alleges as follows:

1 I.

2 Richard Glock is the Superintendent of the Amador County Unified School District and
3 made and filed this Accusation in his official capacity.

4 II.

5 Each of the named respondents was at all times mentioned herein, and now is, a
6 certificated employee of the Amador County Unified School District. The named respondents
7 are referred to herein as the "Respondents."

8 III.

9 On February 24, 2010, it was recommended to the Governing Board of the Amador
10 County Unified School District by Richard Glock that notice be given Respondents pursuant to
11 Education Code Sections 44949 and 44955, that their services will not be required for the
12 ensuing 2010-11 school year and stating the reasons therefor.

13 IV.

14 On February 24, 2010, the Governing Board of the Amador County Unified School
15 District adopted the Resolution, attached hereto and incorporated herein by reference, directing
16 the undersigned or his designated representative to give notices to the certificated employees that
17 their services would not be required for the 2010-11 school year.

18 V.

19 Between the dates of February 25, 2010 and March 12, 2010, Respondents were given
20 notice that it has been recommended that Notice be given them pursuant to Education Code
21 Sections 44949 and 44955 that their services will not be required for the 2010-11 school year and
22 stating the reasons therefor.

23 VI.

24 Pursuant to Education Code Section 44949, Respondents duly requested in writing a
25 hearing to determine if there exists cause for not reemploying them for the ensuing school year.

26 VII.

27 Cause exists within the meaning of Education Code Sections 44949 and 44955 for not
28 reemploying Respondents for the ensuing school year in that:

1 A. The Governing Board of the Amador County Unified School District has decided to
2 reduce or discontinue the following particular kinds of services beginning not later
3 than the commencement of the 2010-11 school year:

4	▪ Agriculture teaching positions	3.0 FTE
5	▪ Art teaching positions	2.1667 FTE
6	▪ Auto Mechanics teaching positions	0.5 FTE
7	▪ ROP Auto Mechanics teaching positions	0.5 FTE
8	▪ Business teaching positions	2.5 FTE
9	▪ ROP Business teaching positions	0.5 FTE
10	▪ Counseling positions	2.0 FTE
11	▪ CAHSEE Remediation teaching positions	1.0 FTE
12	▪ Drama teaching positions	0.833 FTE
13	▪ English teaching positions	2.5 FTE
14	▪ Health teaching positions	1.1667 FTE
15	▪ Home Economics teaching positions	2.5 FTE
16	▪ ROP Home Economics teaching positions	0.667 FTE
17	▪ Industrial Arts teaching positions	0.33 FTE
18	▪ Mathematics teaching positions	1.0 FTE
19	▪ Multiple Subject teaching positions	31.0 FTE
20	▪ Music teaching positions	1.0 FTE
21	▪ Physical Education teaching positions	1.0 FTE
22	▪ Study Skills teaching positions	1.833 FTE
23	Total	56.0 FTE

24 B. In determining the extent by which to reduce or discontinue particular kinds of
25 service, the Governing Board has considered all positively assured attrition up to and
26 including the date of this Accusation and additional attrition which may occur before
27 the start of the 2010-11 school year.
28

1 C. In the opinion of the Governing Board, it will be necessary to decrease the number of
2 certificated employees in the District on account of the above reduction or
3 discontinuance of services. As a consequence, the Governing Board has determined
4 that the services of a corresponding number of the certificated employees of the
5 District shall be terminated at the close of the current 2009-10 school year.

6 VIII.

7 No permanent or probationary certificated employee with less seniority is being retained
8 to render a service which the Respondents, or any of them, are certificated and competent to
9 render.

10 IX.

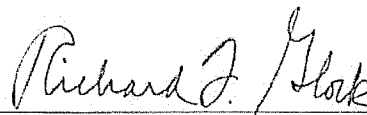
11 The cause for not re-employing Respondents relates solely to the welfare of the schools
12 in the District and the pupils thereof.

13 X.

14 Each Respondent is hereby notified that unless a Notice of Defense, signed by said
15 certificated employee or on said certificated employee's behalf, is delivered or mailed to the
16 Governing Board of the Amador County Unified School District within five (5) days of the date
17 of this Accusation, the District may proceed upon the Accusation without a hearing.

18 WHEREFORE, the undersigned requests that notice be given by the Governing Board of
19 the Amador County Unified School District to Respondents, pursuant to Education Code Section
20 44949 and 44955 and Education Code Section 44954, respectively, that their services will not be
21 required for the 2010-11 school year.

22
23 Date: March 30, 2010



Richard Glock, Superintendent,
Amador County Unified School District

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26 Attachments
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