

BEFORE THE
GOVERNING BOARD OF THE
LOLETA UNION SCHOOL DISTRICT
STATE OF CALIFORNIA

In the Matter of the Accusation
Against:

Respondent Identified in Exhibit B,

Respondent.

OAH No. 2010031900

PROPOSED DECISION

Administrative Law Judge Dianna L. Albini, State of California, Office of Administrative Hearings, heard this matter in Eureka, California, on April 14, 2010.

Stephen L. Hartsell, General Counsel, North Coast Schools Legal Consortium, 901 Myrtle Avenue, Eureka, California 95501, represented Sal Steinberg, Southern Humboldt Unified School District, Superintendent.

Paul Hagen, Attorney at Law, of Bragg, Perlman, Russ, Stunich & Eads, LLP, 1036 Fifth Street, Suite E, Eureka, California 95501, represented respondents Patricia Raleigh and Lauralee Green.

On April 14, 2009, the parties submitted the matter and the record closed.

FACTUAL FINDINGS

1. On April 2, 2009, Sal Steinberg made accusation in his official capacity of Superintendent for the Loleta Union School District.

2. Respondent Patricia Raleigh and respondent Lauralee Green are certificated employees of the district and the only respondents in this matter. Respondent Jacqueline Carter withdrew her request for hearing. Respondent, Mary Jane Lathan, did not request a hearing.

3. It was stipulated that all of the jurisdictional requirements of Education Code sections 44949 and 44955 have been met in this proceeding.

4. On March 9, 2010, the Governing Board of the Loleta Union School District adopted a resolution which bore no number. The Board resolved to reduce or discontinue the following services for the 2010-2011 school year:

<u>Services</u>	<u>FTE¹ Reduction</u>
Special Education	.56 FTE
Regular Education	2.14 FTE
Total FTE	2.70

5. The services set forth above are particular kinds of services that may be reduced or discontinued within the meaning of Education Code section 44955.

6. No permanent or probationary certificated employee with less seniority than a respondent is being retained to provide a service for which a respondent is credentialed and competent to render.

7. The reduction or discontinuation of services is related to the welfare of the district and of its pupils.

LEGAL CONCLUSIONS

1. Because of the reduction or elimination of particular kinds of services set forth in Finding 4, cause exists pursuant to Education Code section 44955 to give notice to respondents that their services will not be required for the 2010-2011 school year. This cause solely relates to the welfare of the schools and the pupils thereof within the meaning of Education Code section 44949.

ORDER

Notice may be given to respondent Lauralee Green that her services will not be required for the 2010-2011 school year. Notice may be given to respondent Patricia Raleigh that her position shall be reduced for the 2010-2011 school year.

DATED: April 23, 2010

DIANNA L. ALBINI
Administrative Law Judge
Office of Administrative Hearings

¹ Full-time equivalent reduction.