

**BEFORE THE GOVERNING BOARD  
OF THE OXNARD SCHOOL DISTRICT**

In the Matter of the Layoffs Of:

OAH Case No.: L2006030702

VERONICA AGUILAR, and other  
Certificated Employees of the Oxnard School  
District,

Respondents.

**PROPOSED DECISION**

The hearing in the above-captioned matter was held on April 17, 2006, at Oxnard, California. Joseph D. Montoya, Administrative Law Judge (ALJ), Office of Administrative Hearings (OAH), presided. Complainant was represented by James K. Lynch and Darren C. Kameya, Burke, Williams & Sorensen, LLP. Respondents were represented by Paul Powers and Alexis Ridenour, Hathaway, Perrett, Webster, Powers, Chrisman & Guitierrez.

Oral and documentary evidence was received at the hearing, but the record was held open through April 19, 2006, so that the parties could obtain and review records pertaining to Respondent Donna Stevens-Payne, relevant to her first date of paid service, and so that the seniority list could be revised to conform with the evidence and stipulations received at the hearing. Complainant submitted a revised exhibit list on April 19, 2006, which is received as Ex. 12. Respondent also submitted a document entitled "Order of Layoff By Seniority List Number", which is received as Exhibit 13. The case was deemed submitted for decision as of April 21, 2006.<sup>1</sup>

The Administrative Law Judge hereby makes his factual findings, legal conclusions, and orders, as follow.

**FACTUAL FINDINGS**

1. Complainant Marc Jackson filed the accusation<sup>2</sup> in this proceeding in his official capacity as Assistant Superintendent of the Oxnard School District (District).

<sup>1</sup> In the cover letter that transmitted Exhibits 12 and 13, Complainant's counsel represented that Respondents' attorney, Mr. Powers had approved the submission, which statement the ALJ did not doubt. However, the record was held open in the unlikely event that Respondents' counsel had some second thoughts about the documents.

<sup>2</sup> The term "accusation" refers to a type of pleading utilized under the Administrative Procedure Act, Government Code 11503. It should be made clear that the Respondents are not "accused" in the every-day sense of that word,

2. The following persons are certificated employees of the District:

Veronica Augilar, Sherrill Asadoor-Waters, Diane Barbour, Kristina Beers, Charlene Bouvet, Michelle Burd, Patricia Casiano, Mirna Castro, Julia Clark, Linda De Los Santos, Raquel Dominguez, Cheryl Dupart, Wrayna Fairchild, Alma Fernandez, Christina Finney, Myra Garcia, Sandra Garcia, Emmanuella Hadley, Michele Harville, Stephanie Kates, Melissa LeMay, Mary Mickelsen, Soelia Mier, Marina Miranda, Gicela Navarro, Morma Medilskyj, Patricia Olsen, Maria Belen Ortiz, Gregory Peckham, Angelica Raily, Arlene Ruvalcaba, Julie Sakamoto, Stephanie Schmalhofer, Brandee Scogin, Angela Smith, Donna Stevens-Payne, Jose H. Torres, Sylvia Valencia, Sharon Woods, and Irene Zavala.

3. On February 22, 2006, the Governing Board (Board) of the District adopted resolution number 05-53, entitled "Reduction of a Particular Kind of Service" (Reduction Resolution), to reduce and discontinue particular kinds of certificated services no later than the beginning of the 2006-2007 school year. Specifically, the resolution requires the reductions of 42.0 "FTE"—Full Time Equivalents—by reducing classroom teaching in elementary school grades kindergarten through six.<sup>3</sup>

4. On March 8, 2006, the Board adopted resolution number 05-54, entitled "Supplemental Tiebreaking Criteria for Reduction of A Particular Kind of Service" (Tie-breaking Resolution).

5. On March 13, 2006, the Superintendent of the District recommended to the Board that the District give Respondents, and each of them, notice pursuant to Education Code sections 44949 and 44955<sup>4</sup> that Respondents' services would not be required for the following school year (2006-2007). On that same date, each Respondent was given such written notice that their services would not be required in the 2006-2007 school year pursuant to sections 44949 and 44955.

6. Thirty of the Certificated Employees identified in Factual Finding 2 requested a hearing to determine if there is cause for not reemploying them for the 2006-2007 school year. Those requests for hearing were timely filed, or the Board waived objection to any late filing. The following persons requested a hearing, and will be collectively referred to as the Respondents:

Diana Barbour, Kristina Beers, Charlene Bouvet, Michelle Burd, Patricia Casiano, Linda De Los Santos, Raquel Dominguez, Alma Fernandez, Christina Finney, Myra Garcia, Sandra Garcia, Emmanuella Hadley, Michele Harville, Stephanie Kates, Melissa LeMay, Mary Mickelsen, Soelia Mier, Marina Miranda, Gicela Navarro,

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unless it can be said they are accused of not having enough seniority to retain their positions with the District in the face of a resolution to reduce positions.

<sup>3</sup> The District had also determined to eliminate 11 FTE in the middle schools, but determined thereafter that no layoffs would take place, because some employees had been lost to attrition or other factors.

<sup>4</sup> All further statutory references are to the Education Code unless otherwise noted.

Morma Medilskyj, Maria Belen Ortiz, Angelica Raily, Arlene Ruvalcaba, Julie Sakamoto, Brandee Scoggin, Donna Stevens-Payne, Jose H. Torres, Sylvia Valencia, Sharon Woods, Irene Zavala.

7. Thereafter, an Accusation was served upon each of the Respondents, and those Respondents filed a notice of defense, which was timely, or accepted by the District without objection. All jurisdictional requirements have been met.

8. (A) The District has undergone a decline in enrollment in the grades kindergarten through 6 during the past two years. Although total enrollment in the District is approximately 15,200 students, during the past two years enrollment has declined by over 800 students, or approximately 5 percent of the total. As a result, the District will require fewer teachers in the 2006-2007 school years than it has in prior years, because it will have fewer kindergarten through sixth grade classrooms, and it is reasonably inferred that the District will experience a decline in funding in the next school year, or thereafter, due to the decline in enrollment.

(B) The services which the District seeks to discontinue or reduce are particular kinds of services that may be reduced or discontinued under section 44955.

9. The decision by the Board to reduce or discontinue services was neither arbitrary nor capricious, but rather was a proper exercise of the District's discretion given the decline in enrollment, other factors considered by the Board, and the manner in which the decision to reduce or discontinue services was reached.

10. The reduction and discontinuation of services is related to the welfare of the District and its pupils, and it has become necessary to decrease the number of certificated employees as determined by the Board.

11. (A) In the course of the reduction in force process, the District created a seniority list, with the most junior teacher ranked number one on that list. One seniority list pertained to teachers in the kindergarten through sixth grades, and a separate list pertained to middle school teachers. That seniority list took into account a number of factors, including first date of paid service, credential types, whether the teacher was eligible to be skipped, and various tie-breaking criteria that were developed by the District.

(B) In the course of the hearing, further information was developed which caused an alteration to the seniority list, by stipulation of the parties. Thus, for example, during the hearing it was determined that Respondent Kates' position on the seniority list should change from number 8a to 8c, making her more senior to Respondents Dupart and Bouvet, because of the application of tie breaking criterion number 1 from the supplemental tiebreaking resolution.

(C) As noted in the preamble, the record had been held open so that District could evaluate any evidence in the possession of Respondent Stevens-Payne as to her first

paid date of service. Thereafter, the District submitted the final seniority list, Exhibit 12. Based on that final seniority list, it has been established that Respondent Stevens-Payne is senior to all the other Respondents, and is senior to three teachers who did not receive notices. Therefore, she is not subject to termination, as to terminate her would be to retain teachers who are junior to her.<sup>5</sup>

12. (A) The District reviewed its records and the seniority list to determine which employees might "bump" other employees, because they held credentials in another area and were entitled to displace a more junior employee. Likewise, the District determined that certain junior teachers possessed superior skills, training, or capabilities which more senior teachers did not possess, which would allow the more junior teachers to be retained or "skipped."

(B) It was established that Alma Fernandez, who was teaching Language Arts and Flex Reading at Haydock, was subject to being bumped by the most senior kindergarten through sixth teacher who was willing to take that assignment.

(C) Patricia Casiano, teaching Language Arts EL 3 at Fremont, was bumped by Respondent Myra Garcia.

(D) Gregory Packham, teaching Language Arts at Haydock, was subject to being bumped by Julie Sakamoto.

(E) It was determined that if Ms. Sakamoto or Ms. Garcia would accept being laid off rather than taking the positions held by Casiano or Packham, then Respondents Casiano or Packham would be bumped by Brandee Scogin.

(F) No other Respondents showed that they could bump a more senior teacher.

(G) Five teachers were entitled to be skipped: Jacqueline Galindo, Janine Klingman, Maybellyne Fraser, Nancy Booth, and Kay Barmore, as all of them hold special education credentials, and the District has a shortage of teachers credentialed to provide special education services. These teachers do not have emergency credentials.

13. The District established tie-breaking criteria in its resolutions. That criteria was applied to break ties among those teachers who shared the same seniority, such as (but not limited to) Respondents De Los Santos, Barbour, Ortiz, and Nedilskys. The tie-breaking criteria were appropriately applied to the teachers listed on the final seniority list.

14. No certificated employee junior to any Respondent was retained by the District to render a service for which a Respondent was certificated and qualified to render.

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<sup>5</sup> She is now number 26 on the seniority list, and position number 21 is shown on Exhibit 13 as the last position to be eliminated.

## LEGAL CONCLUSIONS

1. Jurisdiction was established to proceed in this matter, pursuant to Code sections 44949 and 44955, based on Factual Findings 1 through 7.

2. (A) A District may reduce a particular kind of services (PKS) within the meaning of section 44955, subdivision (b), "either by determining that a certain type of service to students shall not, thereafter, be performed at all by anyone, or it may 'reduce services' by determining that proffered services shall be reduced in extent because fewer employees are made available to deal with the pupils involved." (*Rutherford v. Board of Trustees* (1976) 64 Cal.App.3d 167, 178-179.) More recently, the Court of Appeal made clear that a PKS reduction does not have to lead to less classrooms or classes; laying off some teachers amounts to a proper reduction. (*Zalec v. Governing Bd. of Ferndale Unified School Dist.* (2002) 98 Cal.App.4th 838, 853-854. See also *San Jose Teachers Assn. v. Allen* (1983) 144 Cal.App.3d 627, 631, 637 [Reduction of classroom teaching can be a reduction of a PKS; as long as there is a change in the method of teaching or in a particular kind of service in teaching a particular subject any amount in excess of the statutory minimum may be reduced]; *California Teachers Assn. v. Board of Trustees* (1982) 132 Cal.App.3d 32.)

(B) The services to be discontinued are particular kinds of services within the meaning of section 44955. The Board's decision to reduce or discontinue the identified services was neither arbitrary nor capricious, and was a proper exercise of its discretion. Cause for the reduction or discontinuation of services relates solely to the welfare of the District's schools and pupils within the meaning of Education Code section 44949. This Conclusion is based on Factual Findings 8(A) through 10, and the foregoing authorities.

(C) Respondents argued that the District had not shown a decline in the average daily attendance (ADA), and therefore could not proceed with a reduction in force. That argument is rejected. A decline in ADA is a ground for reducing staff under section 44955, subdivision (b), but not the only ground. That statute also lists as a ground for termination reduction or discontinuance of a particular kind of service. Here the resolution, the notices, and the accusation made clear that the District was reducing or discontinuing a particular kind of service.

3. (A) A senior teacher whose position is discontinued has the right to transfer to a continuing position which he or she is certificated to fill. In doing so, the senior employee may displace or "bump" a junior employee who is filling that position. (*Lacy v. Richmond Unified School District* (1975) 13 Cal.3d 469.) Junior teachers may be given retention priority over senior teachers—may "skip" that senior employee—if the junior teacher possesses superior skills or capabilities not possessed by their more senior colleagues. (*Poppers v. Tamalpais Union High School District* (1986) 184 Cal.App.3d 399; *Santa Clara Federation of Teachers, Local 2393 v. Governing Bd. of Santa Clara Unified School Dist.* (1981) 116 Cal.App.3d 831.)

(B) No Respondent established at the hearing that they had the right to bump a junior employee, although the District established that Respondents Myra Garcia, Julie Sakamoto, and the most senior kindergarten through sixth grade teacher could bump other teachers, and that Respondent Scogin might bump others as well, as set forth in Factual Findings 12(B) through (F).

(C) The District properly skipped five employees based on their qualifications, those employees being Respondents Galindo, Klingman, Fraser, Booth, and Barmore. No other Respondent established the right to displace or "skip" a senior employee. This Conclusion is based on Factual Findings 12(A) and 12(G).

4. No junior certificated employee is scheduled to be retained to perform services which a more senior employee is certificated and competent to render, based on Factual Finding 11(A) through 14.

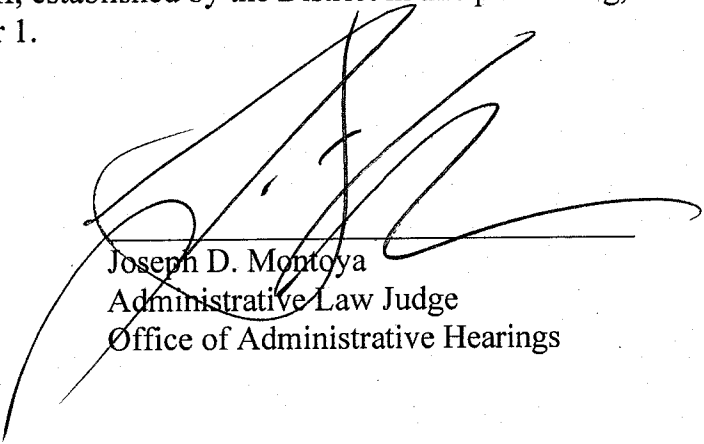
### **ORDER**

1. The Accusations are sustained, except as set forth hereafter.

2. Notice shall be given to employees occupying full-time equivalent certificated positions that their services will not be required for the 2004-2005 school year because of the reduction and discontinuance of particular kinds of services, as identified in Finding 2, with the exception of Respondent Donna Stevens-Payne; the teachers who are to be skipped, identified in Finding 12(G); and those teachers who may bump another teacher, identified in Findings 12(B) through 12(E).

3. Notice shall be given to Respondents in inverse order of seniority based on the final seniority list and list of order of layoff, established by the District in this proceeding, and attached hereto as Attachment number 1.

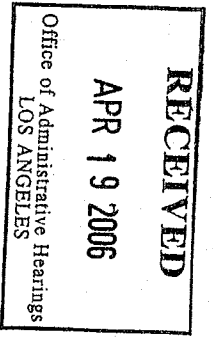
May 3, 2006



Joseph D. Montoya  
Administrative Law Judge  
Office of Administrative Hearings

*F. no 1 - no of 4/19*

**Oxnard Seniority List (as of 4/14/06)**



Key to abbreviations:

Sites:	BRE Brekke	CHA, Chavez	CUR, Curren	DRI, Drifill	ELM, Elm	FRA Frank
	FRE, Fremont	HAR, Harrington	HAY, Haydock	KAM, Kamala	LEM, Lemonwood	MAR Marshall
	MCA, McAuliffe	MCK, McKinna	MW, Marina West	RA, Rose Ave.	RAM, Ramona	RIT, Richen
	SL, Sierra Linda	SM, San Miguel				

Credential Types: PC, Professional Clear PR, Preliminary IN, Intern EM, Emergency

Credential Subject Matters: MS, Multiple Subject  
 SS(Subject), Single Subject  
 SE(M/S), Special Education Moderate/Severe  
 SE(SH) Special Education Severely Handicapped  
 SA(Subject), Supplementary/Subject Matter Authorization  
 SE(M/M), Special Education Mild/Moderate

Each list is in order of most junior first, most senior last  
 Every employee on the K-6 and middle school lists is classified as probationary  
 Every employee on the lists has a 1.0 FTE assignment, except L. Dunn (.18 FTE)



# K-6 Classroom Teachers

No.	Name	Sen. Date	Site	Credential	Skip?	Tie Pts.	Supp. 1	Supp. 2	Supp. 3	Supp. 4
1	Beers, Kristina	11/28/05	HAR	PC MS SA (Soc. Sci.)	No	X	X	X	X	X
2	Ruvalcaba, Arlene	11/7/05	HAR	PR MS	No	X	X	X	X	X
3	Valencia, Sylvia	10/3/05	MCA	PC MS	No	X	X	X	X	X
4	Miranda, Marina	8/29/05	MW	PC MS	No	X	X	X	X	X
5a	De Los Santos, Linda	8/16/05	MW	PR MS	No	1	8/12/05	X	X	X
5b	Barbour, Diane	8/16/05	CUR	PC MS	No	1	8/9/05	X	X	X
5c	Greene, Maria, Belen	8/16/05	RIF	PC MS	No	2	8/15/05	X	X	X
5d	Nadler, Norma	8/16/05	DRI	PC MS	No	2	8/11/05	X	X	X
6	Scogin, Brandee	8/8/05	HAR	PR MS SA (English)	No	X	X	X	X	X
7	Zavala, Irene	8/4/05	HAR	PC MS	No	X	X	X	X	X
8a	Dupart, Cheryl	8/3/05	DRI	PC MS	No	1	8/3/05	X	X	X
8b	Bouyer, Charlene	8/3/05	LEMI	PC MS	No	1	8/2/05	X	X	X
8c	Kanes, Stephanie	8/3/05	CUR	PC MS	No	1	1/18/05	X	X	X
8d	Woods, Sharon	8/3/05	CUR	PC MS	No	1	10/9/04	X	X	X
9a	Galindo, Jacqueline	8/2/05	RA	PR SE(M/M)	Yes	2	10/14/02	X	X	X
9b	Asadoor-Waters, Sherill	8/2/05	DRI	PC MS, Life Secondary (Speech Commun.)	No	2	8/17/98	X	X	X
10a	Burd, Michelle	8/1/05	KAM	PR MS	No	0	X	X	X	X
10b	Farrishill, Wrayna	8/1/05	DRI	PR MS	No	1	7/27/05	8/1/05	5/20/05	X
10c	Klingman, Janne	8/1/05	KAM	PC MS, PR SE(M/M)	Yes	1	7/27/05	8/1/05	8/22/03	X
10d	Sakamoto, Julie	8/1/05	SL	PC MS SA (English)	No	1	7/25/05	X	X	X



10e	Booth, Nancy	8/1/05	CUR	PR SE(M/M)	Yes	1	7/5/05	X	X	X	X
10f	Mier, Soleda	8/1/05	MW	PR MS	No	1	3/18/05	X	X	X	X
10g	Aguiar, Veronica	8/1/05	BRE	PC MS	No	1	3/17/05	X	X	X	X
10h	Dominguez, Raquel	8/1/05	RA	PR MS SA (Jinro Spain)	No	1	3/5/05	X	X	X	X
10i	Schmalhofer, Stephanie	8/1/05	DRI	PR MS	No	1	4/9/99	X	X	X	X
11	Torres, Jose H.	6/3/05	ELM	PR MS	No	X	X	X	X	X	X
12	Garcia, Myra	5/10/05	ELM	PC MS SA (English)	No	X	X	X	X	X	X
13	Barnmore, Kay	4/29/05	MAR	PC MS; PR SE(M/S); PC SS (P.E.); PC Adapted P.E.	Yes	X	X	X	X	X	X
14	Railey, Angelica	4/9/05	MW	PC MS	No	2	X	X	X	X	X
15	Mickelsen, Mary	2/28/05	SL	PC MS	No	X	X	X	X	X	X
16	Navarro, Gicela	1/31/05	KAM	PC MS	No	X	X	X	X	X	X
17	Smith, Angela	1/3/05	BRE	PR MS	No	X	X	X	X	X	X
18	Harville, Michele	11/22/04	BRE	PR MS	No	X	X	X	X	X	X
19	Castro, Mirna	11/15/04	ELM	PC MS	No	X	X	X	X	X	X
20	Clark, Julia	10/25/04	SL	PC MS	No	X	X	X	X	X	X
21	LeMay, Melissa	10/15/04	LEM	PC MS	No	X	X	X	X	X	X
22	Olsen, Patricia	10/12/04	SL	PC MS	No	X	X	X	X	X	X
23	Finney, Christine	10/4/04	MW	PR MS	No	0	X	X	X	X	X
24	Garcia, Sandra	9/16/04	KAM	PR MS	No	X	X	X	X	X	X

Employees above received notices, except for skipped employees; employees below did not receive notices, except for D. Stevens-Payne

25	Hernandez, Marcos	9/2/04	LEM	PC MS	No						
26	Kamosh, Marcos	9/2/04	DRI	PC MS SA (English)	No						
27				Math Science Spanish							
28	Ariza, Sanchez, Maria	9/7/04	KAM	PC MS	No						

Employees									
26	Stevens-Payne, Donna	9/1/04	CUR	PR MS	No	X	X	X	X
28	Falkin, Debra	8/6/04	LEMI	PC MS	No				
28	Foster, Lowell	8/6/04	MW	PR MS SA (English)	No				
28	Grove, Rebecca	8/6/04	CHA	PR MS	No				
28	Hart, Joanna	8/6/04	BRE	PC MS SA (Soc. Sci.)	No				
28	Hanes, David	8/6/04	MCK	PR MS	No				
28	Lukewski, Nadia	8/6/04	MAIR	PR MS	No				
28	Mullins, Leons	8/6/04	RA	PC MS	No				
28	Rodriguez, Edith	8/6/04	DRI	PR MS	No				
28	Suval, Stacie	8/6/04	HAR	PR MS	No				
28	Szakos, Erin	8/6/04	MW	PR MS	No				
28	Villavicencio, Ramona	8/6/04	MW	PC MS	No				
28	Walrod, Kimiko	8/6/04	HAR	PR MS	No				
29	Blaker, April	7/26/04	RIT	PR MS	No	X	X	X	X
30	Kelley, Dianne	7/23/04	BRE	PR SE(M/S)	Yes				
30	Burner, Bonnie	7/23/04	KAM	PR MS	No				
30	Deluna-Diaz, Araceli	7/23/04	MW	PC MS	No				
30	Fuentes, Graciela	7/23/04	HAR	PE MS	No				
30	Garrett, Sara	7/23/04	RAM	PC SP(M/M); PC MS	Yes				
30	Gonzalez, Vicki	7/23/04	ELM	PR MS	No				
30	Magana, Maleny	7/23/04	DRI	PR MS SA (Spanish)	No				
30	Miller, Laura	7/23/04	DRI	PR MS	No				
30	Martinez, Fatima	7/23/04	MCK	PR MS	No				
30	Kaser, Mary/Elizabeth	7/23/04	CUR	PC MS SA (English, Science)	No				
30	Rosas, Amanda	7/23/04	HAR	PR MS	No				
30	Schultz, Cherry	7/23/04	MCK	PR MS	No				

[illegible]

# Middle School Classroom Teachers

No.	Name	Sen. Date	Site	Assign.	Credential	Skip?	Tie Pts.	Supp. 1	Supp. 2	Supp. 3	Supp. 4
13	Casiano, Patricia	None	FRE	Language Arts EL 3	None (C-19 for PR SS (English))	No	0	8/23/05	X	X	X
16	Alonso, Luis	None	HAAY	Math	IN SS (Math)	No	0	8/15/05	X	X	X
14	Jordan, Math	None	HAAY	P.E.	None (C-19 for PC SS (P.E.))	No	0	7/26/05	X	X	X
15	Herandez, Alma	None	HAAY	Lang. Arts Flex Reading	None (C-19 for IN SS (Lang. Arts))	No	1	10/28/05	X	X	X
11	Sanchez, Natividad	None	FRE	RSP (Math)	PR MS (C-19 for IN SS (Math))	Yes	1	7/15/05	X	X	X
12	Roberts, Eileen	None	FRE	Math	IN SS (Math)	No	1	7/19/04	X	X	X
2a	Meckstroth, Suzanne	9/12/05	HAAY	Math	PC MS SA (Math, Soc. Sci., Health Sci., Sci.)	No	1	X	X	X	X

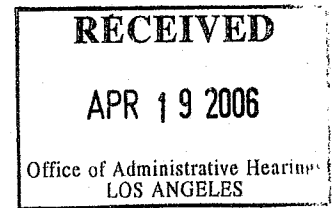


2b	Arellano, Altagracia	9/12/05	HAY	Math	PC MS	No	2	X	X	X	X
3	Bowles, Wendi	9/9/05	FRA	Math	PC MS	No	X	X	X	X	X
4a	Pena, Jess	8/22/05	FRE	P.E.	PR SS (P.E.)	No	1	9/10/03	X	X	X
4b	Glazier, Susan	8/22/05	HAY	Survey/Music (Band)	PR SS (Music)	No	1	8/15/03	X	X	X
4c	Harbour, Cherie	8/22/05	FRA	Social Studies (EL 1&2) / Journalism	PC SS (Soc. Sci.)	No	2	8/17/05	X	X	X
4d	Cvijanovich, Stefan	8/22/05	FRE	P.E.	PC Standard Secondary (P.E., English); PR SS(M/M)	No	2	1/21/03	X	X	X
5a	Pantoja, Fred	8/16/05	FRA	Math	PR SS (Math. Soc. Sci.)	No	0	10/16/05	X	X	X
5b	Finlay, Krista	8/16/05	FRE	Science	PR SS (Geo. Sci., Bio. Sci.)	No	0	8/16/05	X	X	X
5c	Hernandez, Christina	8/16/05	FRE	Science	PR MS SA (English, Bio. Science)	No	0	8/12/05	X	X	X
5d	Rodriguez, Gloria	8/16/05	FRA	Science (EL 1&2)	PR SS (Bio. Science)	No	2	X	X	X	X
6a	Gilbertson, Corin	8/2/05	FRE	Science	PR SS (Bio. Science, Intro Math, Chemistry)	No	0	X	X	X	X
6b	Peschinger, Karen	8/2/05	FRE	Math	PC SS (Soc. Sci., Intro Science)	No	1	X	X	X	X

7a	Brockett, Elizabeth	8/1/05	FRA	Lang. Arts/ Social Studies	PR SS (English; Intro to Business)	No	0	X	X	X	X
8	Brisbine, Gregory	8/17/04	FRA	Social Studies	PC SS (Soc. Sci.)	No					
8	Quinn, Shawn	8/17/04	FRA	Science	PC SS (Soc. Sci., Science)	No					
8	Crowley, Robert	8/17/04	HAY	Social Studies	PR SS (Soc. Sci., English)	No					
10	Abraham, Nichole	7/26/04	HAY	P.E.	PC SS (P.E.)	No					
10	Garcia, Rafael	7/26/04	HAY	P.E.	PR SS (P.E.), SA (Health Sci., Intro English)	No					
10	Solis-Salcedo, Claudia	7/26/04	FRA	Science (EL)	PC SS (Bio. Science)	No					
11	Steiner, Eric	6/19/04	HAY	Math	PC MS SA (Math)	No	X	X	X	X	X

**Order of Layoff by seniority list number, based on revised seniority list**  
*Employees with indented numbers will not be laid off*  
 (all numbers refer to K-6 list unless otherwise specified, read down and to the right)

1		mid. school 1b
2		10e skips
3		10f
4		10g
5a		10h
5b		10i
5c		10j skips
5d		11
5e		12 bumps mid. school 1a*
6		mid. school 1a
7		13 skips
8a		14
8b		15
8c		16
8d		17
	9a skips	18
9b		19
10a		20
10b		21
	10c skips	22 bumps mid. school 1e**
	10d bumps mid. school 1b*	mid. school 1e



**Order of Reemployment by seniority list number,  
 based on foregoing Order of Layoff and assuming all bumps exercised**

21	10i	8b	4
20	10h	8a	3
19	10g	7	2
18	10f	6	1
17	10b	5e	mid. school 1e
16	10a	5d	mid. school 1b
15	9b	5c	mid. school 1a
14	8d	5b	
11	8c	5a	

\*If 10d or 12 decides not to bump, either would be laid off and 6 would be entitled to bump (if 10d and 12 each elect layoff, 6 must bump 1a)

\*\*Middle school 1e's position goes to most senior K-6 teacher desiring to bump into that position; if 22 decides not to bump, 22 would be laid off and bumping right moves to 21, and so on.

**Order of Layoff by seniority list number based on revised seniority list numbers, if seniority based on first paid probationary service under any form of credential**

*Employees with indented numbers will not be laid off*

(all numbers refer to K-6 list unless otherwise specified, read down and to the right)

1		10e skips
2		10f
3		10g
4		10h
5a		10i
5b		10j skips
5c		11
5d		12 bumps mid. school 1a*
5e		mid. school 1a
6		13 skips
7		14 no longer eligible for layoff (new seniority day of 8/6/04)
8a		
8b		15
8c		16
8d		17
9a skips		18
9b		19
10a		20
10b		21
10c skips		22
10d bumps mid. school 1b*		23 bumps mid. school 1e**
mid. school 1b		mid. school 1e

**Order of Reemployment by seniority list number,  
based on foregoing Order of Layoff**

22	10i	8b	mid. school 1b
21	10h	8a	mid. school 1a
20	10g	7	4
19	10f	6	mid. school 1e
18	10b	5e	3
17	10a	5d	2
16	9b	5c	1
15	8d	5b	
11	8c	5a	

\*If 10d or 12 decides not to bump, either would be laid off and 6 would be entitled to bump (if 10d and 12 each elect layoff, 6 must bump 1a)

\*\*Middle school 1e's position goes to most senior K-6 teacher desiring to bump into that position; if 22 decides not to bump, 22 would be laid off and bumping right moves to 21, and so on.