

Board of Trustees Agenda Item

Board Meeting Date: May 7, 2012

TITLE OF ITEM: Resolution Authorizing the Reduction or Discontinuance of Particular Kinds of Faculty Service

BACKGROUND AND ANALYSIS:

In accordance with Education Code Section 87743 and other applicable provisions of the Education Code, to initiate a layoff of academic employees due to a reduction in or discontinuance of a particular kind of service, pursuant to Education Code Sections 87740 and 87743, a notice of non-reemployment was timely served on the affected employee, Ernest Johnson, prior to March 15, 2012.

RECOMMENDATION: Vice Chancellor of Human Resources and Equal Opportunity Dorene Novotny recommends board authorization to eliminate the position

Submitted by:	Dorene Novotny, Vice Chancellor of Human Resources & Equal Opportunity x6211
Additional contact names:	Suzanne Pfeiffer, Director of Human Resources x6109
Is backup provided?	Yes

Foothill-De Anza Community College District
Resolution # 2012-23

REDUCTION OR DISCONTINUANCE OF PARTICULAR KINDS OF FACULTY SERVICE

WHEREAS, on March 5, 2012, the Board took action pursuant to Education Code § 87743, and other applicable provisions of the Education Code, to initiate a layoff of academic employees due to a reduction in or discontinuance of a particular kind of service; and

WHEREAS, a notice of non-reemployment was timely served prior to March 15, 2012 pursuant to Education Code §§ 87740 and 87743 on the affected employee, Ernest Johnson. Therein, Johnson was advised of his right to request a hearing pursuant to Education Code § 87740 by delivering a written request to the District's Chancellor by 4:30 p.m. on March 26, 2012; and

WHEREAS, Johnson did not timely submit a written request for a hearing to the Chancellor, and therefore under Education Code § 87740(b) waived his right to a hearing; and

WHEREAS, under Education Code § 87740, the Board must make a final decision regarding the layoff and Johnson must be notified of the Board's final layoff decision by May 15, 2012;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Board of the Foothill-De Anza Community College District, that Johnson's proposed layoff is necessitated to reduce or discontinue a particular kind of service and for the welfare of the District and its students.

BE IT FURTHER RESOLVED that the Chancellor is directed to give notice to Johnson by May 15, 2012, in accordance with the provisions of Education Code § 87740, of the Board's final decision on his layoff, which will be effective June 30, 2012.

I HEREBY CERTIFY that the foregoing resolution was duly introduced, passed, and adopted by the Governing Board at a regularly called and conducted meeting held on May 7, 2012 the following vote:

AYES:

NOES:

ABSENT:

Linda M. Thor
Secretary to the Board of Trustees