

**Twin Rivers Unified School District 2010 Certificated Reductions
Questions and Answers
February 28, 2010**

The following information is for certificated employees who may be laid off. We hope this information is beneficial to you. If you have any questions that are not answered here, please refer to the last page of this document for information on getting further assistance.

Why is our district considering layoffs?

Our district would prefer to not lay off employees. The negative impacts to individuals as well as general morale are known. However, the State's budget crisis is causing our income to decrease dramatically. Since most of our district's budget is wages and benefits (88% in 08-09), any significant budget reduction requires that layoffs be considered.

Like many area districts, Twin Rivers also faces a continuing decline of enrollment. We now serve thousands of students less than we did just a few years ago. We are expecting an additional decline in enrollment of more than 600 students for the 2010-11 school year.

How many teachers could be laid off?

Notification of any actual layoffs will not occur until mid May.

Information on preliminary notices will be presented for action at our March 2, 2010 Board of Trustees meeting. At this meeting, our Board will consider the proposed resolutions which identify the number of teaching positions (shown as Full Time Equivalents of FTEs) to be reduced or eliminated. Once the Board acts, Human Resources will then determine which teachers will be sent a letter stating that the teacher might be laid off. It is expected that they will be sending out less than 200 preliminary notice letters.

Is this more or less notices than last year?

There will be fewer preliminary notices going out to certificated staff this year and we anticipate there will be fewer final notices.

How does HR determine who might be laid off?

Three criteria are used to determine who is laid off as negotiated with TRUE.

These criteria are:

- Employee status (temporary, probationary, permanent)
- Seniority date
- Credential(s) held

Employees in Human Resources spend considerable time determining which teachers are least senior in each of the areas identified for reduction or elimination.

Could someone be laid off while someone with less seniority is retained?

Yes, this is possible. It would happen when people have different credentials. For example, a special education teacher with very little seniority could continue in employment while a layoff notice could be sent to a teacher with years of seniority but without a special education credential.

When would I first know if I might be laid off?

The legal requirement is that preliminary layoff notices be postmarked by March 15.

Would I receive a letter if I am a temporary teacher?

Notice to temporary teachers isn't required until the end of the school year. However, we will be mailing release letters to all temporary teachers at the same time letters are sent to probationary and permanent teachers.

What happens if I am a probationary or permanent teacher and a preliminary March 15 notice isn't sent to me?

If a notice is not sent to a probationary or permanent teacher, then that teacher has a job in Twin Rivers for the next school year.

What should I do if I receive a preliminary March 15 notice?

If you are a probationary or permanent teacher and you receive a March notice, you have the right to attend a hearing. If you want to attend, you must return the Hearing Request form to Human Resources or TRUE. The Hearing Request Form will be sent with your March letter. If you are a temporary teacher, you do not have the right to attend a hearing.

What is the Hearing all about?

The hearing dates are pending confirmation from the Administrative Law Judge. The location is still being determined.

The hearing is very similar to a trial. An administrative law judge presides over the proceedings. The district and the teachers are represented by attorneys. Testimony is provided as to why and how the district determined who would receive the preliminary March 15 notice.

The administrative law judge's decision is due by May 7. The Board will adopt/adapt the decision at a special Board meeting to be determined.

How would I find out if I am actually laid off?

Actual layoff letters aren't sent until May. They must be postmarked by May 14. The lay off is effective at the end of the 2009-10 school year.

Typically, there are significantly fewer May letters than March letters. This is due to our district having additional budget information including better projections of the state budget.

Unfortunately, districts must send notices out to the largest number of employees that could possibly be affected in order to comply with employee notification rights.

If I am laid off, what are my reemployment rights?

Your reemployment rights depend on whether you are probationary or permanent. You only have a right to return to an assignment for which you have the appropriate credential. You can be employed by another district or any other employer while on the reemployment list. You can substitute for Twin Rivers or other districts while on the reemployment list. Your seniority date is not affected by the layoff. Here is a summary of rights by type of teacher:

Permanent Teachers

- On the reemployment list for 39 months
- Can waive right to reemployment for one school year
- Based on current statutes, if you substitute in Twin Rivers for more than 20 days within a 60 day period, you are paid your daily rate and will continue to receive your daily rate for the rest of the school year.

Probationary Teachers

- On the reemployment list for 24 months
- If you are offered a job in Twin Rivers, you must either take the job or lose your reemployment right
- If you substitute, you receive the regular substitute pay rate

If I am laid off, will I have any medical benefits?

Medical and Dental insurance will continue through August 2010. Life insurance does not continue beyond the last day worked. For employees carrying insurance for their spouse or children, they will have the following options:

- Discontinue family coverage with Twin Rivers on June 30, 2010. Check to see if you may have coverage options under a spouses plan. Loss of employment is considered a “qualifying event” that will allow you to enroll yourself or family members in an insurance plan that is outside the open enrollment period. A layoff is also an IRS qualifying event to allow employees to drop dependent coverage.
- Continue paying the premium for your dependent coverage, (medical, dental, only.) You would need to write a personal check to the Payroll Department, since it will not be possible to deduct the premium from future payroll checks.
- Explore the possibility of insuring your children/spouse through a non-group high deductible plan such as Anthem Blue Cross, Blue Shield of California, Kaiser individual coverage or PacifiCare individual coverage.

What else do I need to know about benefits?

- Employees may continue coverage under COBRA. Our Payroll Department will send letters to all affected employees to inform them of this option.
- You are not able to add additional coverage through open enrollment if you are laid off.
- Insurance products such as cancer insurance and income protection may or may not continue. You should contact the vendor if you have any questions.
- Voluntary deductions such as car loans with the credit union, etc., should be transferred to direct billing.
- If you have a TSA or Deferred Compensation Plan, please contact your TSA company or your financial advisor. The district cannot give any tax advice to employees.
- Please contact our Payroll office at 916-566-1600 x1486 for further information.

If I am laid off, what happens to my sick leave?

Whatever hours you have remaining in your sick leave balance will remain in your Twin Rivers 'sick leave bank' in the event you are recalled to work for our district. If you are employed at another California district within a year, your sick leave can be transferred to your new district upon request.

If I am laid off, when would I receive my last paycheck?

You will receive your final paycheck on the last day of June. If you have direct deposit, your check will be directly deposited as usual.

If I am laid off, can I receive unemployment benefits?

Teachers who are laid off are usually eligible for unemployment benefits. To determine your eligibility, contact the CA Employment Development Department for information. Their web site is <http://www.edd.ca.gov/>. To locate an EDD office, go to their web site at http://www.edd.ca.gov/Office_Locator/.

If I am laid off, can I still work summer school?

Yes, you can work in the summer school program. Be sure to submit your application before the deadline.

If I am not laid off, can I be reassigned to a different school?

Yes, it is possible that you would have a job but be required to work at a different school. Staffing at each site is determined in the spring using enrollment projections. After layoffs are determined in May, schools will know if they have too many teachers for next year (creating a surplus), just the right number, or not enough teachers (creating vacancies).

What should I do if I am thinking about retirement?

If you are thinking of retiring, it is strongly suggested that you contact STRS for information and counseling. The STRS web site is <http://www.calstrs.com/>. If you would like to meet with a STRS counselor, they have an office in Rancho Cordova and can be reached at 916-861-0519.

Where can I get help?

If you still have questions or need some assistance, the resources below are available to you:

Twin Rivers Human Resources Department

Call 566-1736 during business hours

Check the district web site for updates www.twinriversusd.org

Twin Rivers United Educators

Call 648-9791 during business hours

www.trueassociation.org

Employee Assistance Plan

Information is available at 1-800-227-1060 or online at www.MHN.com

Counseling services available

Phone consultation for legal, financial, pre-retirement and other matters