

IMPORTANT INSTRUCTIONS FOR TEACHERS SERVED WITH RIF (LAYOFF) NOTICES

Dear CTA Member:

Each certificated employee who is served with a RIF notice is entitled to a hearing upon request. You must mail or deliver **both** a Request for Hearing and a Notice of Defense to the district within the specified time limit or you may waive your right to a hearing.

1. **REQUEST FOR HEARING.** In order to have a hearing, you must request one. This request must be made in writing within the time specified in the Notice of Intended Dismissal, usually **seven (7) calendar days after you receive the Notice**. Failure to request a hearing within the appropriate time limit will waive your right to participate in the hearing and you may be laid off as a consequence.

To request a hearing, fill out the attached form entitled Request for Hearing and address it to the district official who signed the Notice of Intended Dismissal. Deliver the original to the addressee, either in person or by registered mail at the address provided in the Notice. If you deliver the form personally, get a receipt or keep a record of the date, time, place, and recipient. Keep a copy for your records and provide a copy to your chapter president.

2. **NOTICE OF DEFENSE.** After the district receives your Request for Hearing, it will provide you with documents including a Statement to Respondent and an Accusation. After you receive the Accusation, fill out the form entitled Notice of Defense which is attached to these instructions, unless your attorney has provided you with different instructions. Do not use the forms provided by the district for this purpose. You must deliver the Notice of Defense to the superintendent, or the district official named in the Statement to Respondent, within **five (5) calendar days after the Accusation is served**. The Accusation is served on the date the district hand-delivers the Accusation, or, in the case of service by mail, the date the Accusation is placed in the mail. You may deliver the Notice of Defense personally or by registered mail to the school district at the address given in the Statement to Respondent so long as the Notice is received by the District within the five day period. If you fail to deliver the Notice of Defense on time you may waive your right to participate in the hearing.

If you have any questions about filing a Request for Hearing and/or Notice of Defense, contact your CTA chapter president immediately.

REQUEST FOR HEARING

Dear _____:

I hereby request a hearing to determine whether there is cause to not re-employ me for the 2009-2010 school year.

Signature

Printed Name

Address

Date

NOTICE OF DEFENSE

TO: Governing Board
 _____ School District

Address: _____

In response to your accusation, dated _____, 2009, I _____,

1. Request a hearing.
2. Object to the accusation upon the ground that it does not state acts or omissions upon which you may proceed.
3. Object to the form of the accusation on the ground that it is so indefinite or uncertain that I cannot identify the transaction or prepare my defense.

This constitutes my notice of defense pursuant to Government Code Section 11506.

Signature

Printed Name

Address

Date