

REDUCTION IN FORCE

**Board Policy**

The Board of Trustees of the Shelley Joint School District No. 60 has the obligation and responsibility to discontinue programs and reduce staff to operate within constraints of its financial capabilities.

For the purpose of this policy the following definitions apply:

1. Higher Rank: The District's salary structure at the time of implementation of these procedures shall determine whether a position is "of higher rank" than the position currently held by a staff member.
2. Seniority: Seniority shall be based upon the number of years of most recent continuous employment by the District.
3. Special Leave of Absence: Leave of absence applied for after written notice of lay off or contract non-renewal has been received by a staff member.

The decision to discontinue programs and services shall be made by the Board on recommendation from the Superintendent and administrative staff. The administration will seek input from the Education Association relative to the discontinuation of programs and services.

**Suggested Implementation Guidelines**

1. Action by the Superintendent: The provisions of this policy shall be implemented as soon as possible after the identification of the need for a reduced educational program.
2. Reduction of Professional Staff: In the event the Board adopts a reduced educational program by reason of its financial necessity, including, but not limited to declining enrollment, levy failure, decreased state or local funding, decreased federal funding, or combinations of those listed, those staff members who will be laid off or contract non-renewed, or adversely affected in contract status will be identified by using the following procedures:
  - a. Affect Non-continuing Contract First: Reduction in force will affect those teaching under a non-continuing contract prior to affecting those teaching under a continuing contract.
  - b. Determination of Vacant Positions: The District will determine, as accurately as possible the total number of staff members leaving the District for reasons of

## REDUCTION IN FORCE

retirement, family transfer, normal resignations, leaves, discharge, non-renewal, etc. These vacancies will be considered to determine the number of layoffs required.

- 1) Filling Vacant Positions: Vacant positions will be filled by transferring currently employed staff members within the District unless by reason of certification, training, and/or experience, no qualified person is available.
- c. Leave of Absence: Other reductions shall be made by inviting staff members with at least one (1) year of experience to apply for one (1) year leave of absence without pay. The Superintendent shall recommend favorable action by the Board for any applicant if the granting of such leave would eliminate the necessity for layoff or contract non-renewal.
- 1) Any staff member taking such leave of absence shall be entitled to re-employment by the District following the expiration of the leave period unless such person would otherwise have been laid off or contract non-renewal under the staff retention procedures (3), in which case, the staff member shall be placed in the professional employment pool established in paragraph six (6) and be subject to re-employment as provided therein.
  - 2) Staff members taking one (1) year leave of absence shall be responsible for providing the District with their mailing address and any changes thereof during their leave period.
  - 3) Any staff member entitled to re-employment following the expiration of the staff member's one (1) year leave of absence shall continue to be subject to the provisions applicable to state law, and the provisions of the applicable staff retention procedures as provided in paragraph three (3) in the same manner as if actually employed by the District during the leave period.
  - 4) Employees taking leave of absence as herein provided shall be entitled to continued participation in District sponsored benefit programs as set forth in paragraph. (6).
- d. Special Leave of Absence: Any staff member receiving written notice of layoff or contract non-renewal pursuant to the provision of this policy shall be eligible for a "special leave of absence" (see Definitions) without pay upon written application directed to the Superintendent and receive not more than ten (10) days following receipt of the non-renewal notice. Staff members electing to take a "special leave of absence" shall be placed in the professional employment pool

## REDUCTION IN FORCE

established under paragraph (6) and shall be considered for re-employment together with other staff members in the employment pool.

- 1) The personnel file of any person taking a “special leave of absence” shall be amended to reflect that status and all referenced to the non-renewal of such staff member’s contract shall be removed from the staff member’s personnel file.
  - 2) Personnel taking a “special leave of absence” shall enjoy the same rights and privileges applicable to the case of other leaves of absence without pay.
3. Retention of Professional Staff Within Employment Categories: Staff members shall be considered for retention in available positions within the categories, specialties or subject matter in which they are currently teaching and for which they are currently certified with proper state endorsement.
- a. Certification: To ensure that the staff member recommended for retention will be qualified to implement the educational program determined by the Board, all staff members must possess a current valid Idaho State Certification as may be required for the position available.
  - b. Employment Categories: The following categories and specialties are established to ensure the qualifications of personnel assigned to retained positions:
    - 1) Elementary Staff members will be considered for retention in one (1) category (K-8).
    - 2) Secondary Staff members (6-12) will be considered for retention in subject matter areas or departments. Each subject matter area or department is a category defined by, but not limited to one (1) of the following: science, math, social studies, language arts, industrial arts, physical education and health, home economics, business education, music, art, individual language (e.g. French, Spanish, German, etc.). Other categories will be determined by the administration.
    - 3) Other non-supervisory staff members will be considered for retention according to their specialties as endorsed on their certificates as defined by, but not limited to one (1) of the following: Special Education Personnel (by field of specialty), Vocational Personnel (by field of specialty), Psychologists, Social Workers, Head Attendance Counselor,

REDUCTION IN FORCE

Occupational Therapists, Nurses, Counselors, and Other Specific Specialties.

- d. More Than One Qualified Staff Member: In the event that there are more qualified staff members than available positions in a given category or specialty, the following criteria shall be used to determine which staff member shall be recommended for retention.
  - 1) Total seniority (see Definitions) as a staff member with this School District shall be the basis for retention within those categories and specialties identified in 3 b. above.
  - 2) The staff member having the greater seniority within each category or specialty, shall be retained.
  - 3) In the event ties exist, the staff member having (1) the highest degree, and (2) the highest number of college or university credits beyond the BA degree as recorded in the personnel office as of March 15 of the current school year, and (3) the greatest total number of years teaching experience shall have preference.
  - 4) If ties remain, the staff member to be retained shall be determined by drawing lots among the tied staff members.
4. ~~3.4~~ Staff Not Certificated for Another Position: In the event an instructional program or service is entirely discontinued by the Board and the person(s) employed therein is/are not certificated to work in another position, then by necessity, that/those person(s) will be laid off or contract non-renewed regardless of seniority with the District and will be placed in the professional employment pool established in paragraph (6) herein.
5. Retention of Administrative Staff: It is recognized that staff members of the District holding administrative or supervisory positions and not provided for under the provisions of paragraph 3c of this policy may be eligible under the applicable Board policy and administrative procedures for retention in one (1) or more of the employment categories identified in paragraph 3b above.
6. Professional Employment Pool: All staff members who are not recommended for retention in accordance with these procedures shall be laid off or contract non-renewed and placed in an employment pool for possible re-employment during the first school year immediately following his or her placement in the employment pool.

## REDUCTION IN FORCE

- a. Employment pool personnel will be given the opportunity to fill open positions within the categories or specialties identified in paragraph 3b or for which they are qualified under paragraph 3c. If more than one (1) such staff member is qualified for an open position, the criteria set forth in paragraph 3.d. shall be applied to determine who shall be offered such a position.
  - b. When a vacancy occurs for which a person in the employment pool qualifies, that person shall notify the district of his/her interest in that position. It is the responsibility of employment pool personnel to become aware of possible vacancies.
  - c. The District will utilize employment pool personnel as substitutes on a first priority basis.
  - d. Any staff member wishing to remain in the employment pool for a second year shall notify the Superintendent or designee in writing between June 1 and June 30 of his or her first year in the employment pool. If such notification is not received, the name of any such staff member shall be dropped from the employment pool.
  - e. To the extent that any conflict exists between the recall procedures of this policy and any prior leaves of absence, the provisions of this policy shall govern the recall rights of persons having employment pool status under any prior leave of absence.
  - f. While a staff member is on leave of absence and remaining in the employment pool, her or she shall have the option to remain an active participant in group insurance programs if such an arrangement is agreeable to the carrier and the District. Any such arrangement shall be at no cost to the District and all premiums are due as determined by the District and the carrier.
7. Reduction of Classified Staff: In the event the Board adopts a reduced educational program or classified staff, those staff members who will be laid off will be identified by using the following procedures:
- a. Determination of Vacant Positions: The District will determine, as accurately as possible the total number of staff members leaving the District for reasons of retirement, family transfer, normal resignations, leaves, or discharge, etc. and these vacancies will be considered to determine the number of layoffs required.

REDUCTION IN FORCE

- 1) Filing Vacant Positions: Vacant positions will be filled by transferring currently employed staff members within the District unless by reason of training, and/or experience, no qualified person is available.
- b. Leave of Absence: Other reductions shall be made by inviting staff members with at least one (1) year of experience to apply for one (1) year of leave of absence without pay. The Superintendent shall recommend favorable action by the Board for any applicant if the granting of such leave would eliminate the necessity for layoff.
  - 1) Any staff member taking such leave of absence shall be entitled to re-employment by the District following the expiration of the leave period unless such person would otherwise have been laid off, in which case, the staff member shall be placed in the classified employment pool established in paragraph 10 and be subject to re-employment as provided therein.
  - 2) Staff members taking one (1) year leave of absence shall be responsible for providing the District with their mailing address and any changes thereof during their leave period.
  - 3) Any staff member entitled to re-employment following the expiration of the staff member's one (1) year leave of absence shall continue to be subject to the provisions applicable to state law, and the provisions of the applicable staff retention procedures as provided in paragraph 8 in the same manner as if actually employed by the District during the leave period.
  - 4) Employees taking leave of absence as herein provided shall be entitled to continued participation in District sponsored benefit programs as set forth in paragraph. 3f.
8. Retention of Classified Staff: Each staff member will be considered for retention in available positions for which they are qualified.
  - a. No staff member shall be considered for retention in a position "of higher rank" (see Definitions) than the position held by such staff member at the time of the implementation of these procedures.
  - b. In the event that there are more qualified staff members than available positions, the following criteria shall be used to determine which staff members shall be recommended for retention.

REDUCTION IN FORCE

- 1) Total seniority (see Definitions) as a staff member with this School District shall be the basis for retention. In the event ties exist, the staff member having (1) the highest relevant degree, and (2) the highest number of relevant college or university credits, and (3) the greatest number of years total experience shall have preference. If ties remain, the staff member to be retained shall be determined by drawing lots among the tied staff members.
9. Discontinued Services: In the event an instructional program or service is entirely discontinued by the Board, then by necessity, that/those person(s) will be laid off regardless of seniority (see Definitions) with the District and will be placed in the classified employment pool as established in paragraph 10 herein.
  10. Classified Employment Pool: All staff members who are not recommended for retention in accordance with these procedures shall be laid off and placed in an employment pool for possible re-employment during the first school year immediately following his or her placement in the employment pool.
    - a. Employment pool personnel will be given the opportunity to fill open positions for which they are qualified. If more than one (1) such staff member is qualified for an open position, the criteria set forth in paragraph 8.b. shall be applied to determine who shall be offered such a position.
    - b. Any staff member wishing to remain in the employment pool for a second year shall notify the Superintendent or designee in writing between June 1 and June 30 of his or her first year in the employment pool. If such notification is not received, the name of any such staff member shall be dropped for the employment pool.
    - c. When a vacancy occurs for which a person in the employment pool qualifies, that person shall notify the District of his/her interest in that position. It is the responsibility of employee pool personnel to become aware of possible vacancies.
    - d. To the extent that any conflict exists between the recall procedures of this policy and any prior leaves of absence, the provisions of this policy shall govern the recall rights of persons having employment pool status under any prior leave of absence.