

Staff Displacement and Reduction In Force

Program and Staff Reductions – General

Faced with a reduction in force (RIF) the district will:

- Make every effort to minimize the consequences of necessary program or operational reductions on students and student learning;
- Maintain health and safety standards; and
- Consider the impact of categorical reductions on students and student learning and may decide to maintain these programs at the current level and effect reductions in other programs or services or effect the categorical reduction.

Building, Department or Program Reductions (Displacement of Certified Staff)

The determination that a building, department or program may reduce staff must be made as soon as possible but not later than April 15. Human Resources must work closely with building, department and program administrators to ensure that the next year's budget will support current staffing levels.

- Human Resources will determine the number of certified staff required by a building, department or program by comparing current staff to projected staff (based on building, department or program budget reports). The difference between the current staff and projected staff will indicate the number of new positions that must be added or reduced (displaced).
- Human Resources will meet with all building, department or program administrators to compare current staff to projected staff (based on budget). In the event a displacement of certified staff is necessary, Human Resources will determine which certified staff will be displaced based on district-wide seniority.
- Certified staff displaced from their assignments as a result of a local (building, department or program) reduction will be notified of the action by the department/building administrator and official written notice will be sent in writing by Human Resources.

Once a district-wide total of displaced employees is determined and sorted (by endorsements), Human Resources will determine if sufficient vacancies will exist to properly place the employees in a position. Human Resources will process the displaced list by comparing the endorsements of the displaced certified staff to projected vacancies.

- Principals are required to submit hiring requisitions for known vacancies within five business days. Once requisitions are received, (it is not necessary to post a position that will be filled by a displaced employee) tentative placements will be made and courtesy interviews between the employee and the gaining principal will be scheduled. Once the interviews are complete, the tentative assignments will be confirmed assignments.
- In the event that an interview with a displaced employee results in strong objections from the principal, other options will be considered. In the event that other options are not

practical, the tentative assignment will be discussed with the appropriate Assistant Superintendent for Schools and a placement decision will be obtained.

- The displaced employee will be notified in writing of the placement for the next school year.

If insufficient vacancies exist, a RIF is necessary and RIF procedures below must be implemented:

REDUCTION IN FORCE – CERTIFIED STAFF

Reduction in Force (RIF) is defined as the separation of certificated staff from district employment. RIF is always district-wide; in reverse Washington State seniority order. The determination that a RIF may be necessary must be made as early in March as possible to ensure that regulatory and contract requirements can be met. Human Resources must work closely with the Finance Department to determine if a RIF is likely as early as March when enrollment projections are released.

- Human Resources will determine the number of excess staff by comparing current staff to required staff (based on student enrollment projections) for each school and current staff to required staff (based on budget levels) for each department or program. The sum of all reductions (plus a percentage to insure a safety margin) will serve as the maximum RIF number.
- In April, once the scope of the RIF is determined, Human Resources must notify the Clover Park Education Association (CPEA) of the number of certified staff potentially affected by the RIF and the preliminary plan to implement a RIF. At least two meetings with the CPEA are required to discuss the RIF plan prior to May 1.
- Human Resources, in consultation with CPEA, will immediately begin to refine the RIF number by determining projected losses (resignations and retirements). This must be accomplished (a snap shot taken) to ensure that appropriate school board action and individual notification to affected teacher is accomplished no later than May 10.
 - A Certified “Intent to Return” survey will be distributed in March to all certified staff, completed by the staff, returned and analyzed by Human Resources on a priority basis to determine a baseline of projected losses.
 - Human Resources and principals will request letters of resignation or retirement from certified staff who indicate their intent not to return the next year.

RIF Calculation

The number of known resignations and retirements from certified staff affected by the RIF is subtracted from the RIF number. It is important to count only those certified losses that are affected by the RIF.

- Retire/rehire teachers and other replacement teachers do not have continuing contract rights and they do not reduce the district’s continuing obligations.

- ESA certified and teachers with endorsements in special education, high school mathematics, foreign language, physics or other difficult to fill positions are normally exempt from RIF. Losses in these categories do not reduce the number of teachers because these ESA and teachers must be replaced to meet program requirements.

Human Resources will produce a list of all certified staff (less those exempted from the RIF for operational or program reasons) sorted in reverse (Washington State) seniority order. The appropriate number of certified staff (equal to the RIF number) will be taken from the top of the list and forwarded to the CPSD Board of Directors for information.

Notification

As soon as possible, **but no later than May 10 notification will be made to teachers who will be laid off.** Letters (enclosure 1) will be mailed by certified mail and or personally delivered and signed-for by the recipient.

Simultaneous with notification of potential RIF, Human Resources will distribute contracts for the next school year to all certified staff who signed an intent to return. The cover letter on the contracts will establish a specific date for certified employees to return their contracts no later than May 30. The letter will state that the district will consider the non-return of contracts as “de-facto resignations.”

Subsequent to notification, but as soon as possible thereafter, Human Resources and CPEA will conduct joint meetings and provide periodic updates to the teachers adversely affected by the RIF to explain district “call back” procedures and information on the “best guess” likelihood of call back.

REDUCTION IN HOURS/ REDUCTION IN FORCE – CLASSIFIED STAFF

Several types of program reductions adversely affect classified staff. There are reductions in hours (RIH) both at the end of a school year and during the school year and the RIH could result in a Reduction in Force (RIF). These reductions are covered by the ESPCP contract for all represented classified except custodian, maintenance and grounds workers who are covered by the procedures in the IUOE contract. Non bargaining classified employee reductions will be determined by department administrators based on program need and budget capacity.

End of Year RIH: The determination that an end of year RIH is necessary must be made as soon as possible, but not later than May 30.

- Human Resources will determine the number of classified staff affected by a RIH by comparing current staff to required staff (based on budget projections) for each school, department or program.
- If hours are increased at a worksite, the administrator will be encouraged to submit a requisition to fill the hours, but no action to hire additional staff will be taken until placement decisions have been made.

- If hours are reduced at a worksite for the next school year, the reductions will be made in the reverse order of district-wide seniority from among the employees who have the qualifications and ability for the remaining position hours. (represented employees).
- Any ESPCP employee who, as a result of a RIH suffers a loss of two or more hours or the loss of benefits, is considered displaced. These employees will be notified of the necessity of the action by the department/building administrator and official notice will be sent in writing by Human Resources.

Human Resources will develop a list of displaced classified employees, in job category, grade and seniority order (indicating their total current hours, pay and benefits levels) as well as a list of projected position vacancies (by position description, hours and pay level):

- The two lists will be combined and “matches” (cases where the employee’s hours and pay level are equal to the position vacancy’s hour and pay level) will be identified. The guidelines for RIH/RIF established in the ESPCP and IUOE bargaining agreements will be followed in determining matches.
- Tentative assignments will be made; however, notification will not be made until a complete list of projected vacancies is accumulated and all known displaced classified staff are placed.
- Principals and displaced staff will be notified by telephone of the tentative placements. Principals will be encouraged to conduct interviews. Once the interviews are complete, the tentative assignments will be confirmed assignments.
- In the event that an interview with a displaced employee results in strong objections, other options will be considered. In the event that other options are not practical, the tentative assignment will be discussed with the appropriate administrator and a placement decision will be obtained.
- The displaced employee will be notified in writing of the placement for the next school year.

Employees who have been displaced through RIH and who have not been placed are laid-off according to procedures in the applicable contracts or policies.

- Prior to actual layoff, represented classified employees may have rights to “bump” less senior employees from certain jobs and categories. Layoff occurs after all bumping rights have been exercised and those who have no positions must be let go, subject to return rights specified in their contracts.

During the Year Reduction in Hours (RIH)

The determination that a RIH is necessary during the year must be made as soon as possible, no later than November 1 to assure that all processes can be completed by November 15. After November 15, ESPCP staff are protected from a reduction of hours or benefits for the rest of the year.

- Beginning in October, Human Resources will determine the number of classified staff affected by a RIH by comparing current staff to required staff (based on October enrollments and revised budget projections) for each school, department or program.
- If hours are increased at a worksite, the administrator will be encouraged to submit a requisition to fill the hours, but action to hire additional staff will not be taken until all placements are determined. If hours are reduced at a worksite, the reductions will be made in the reverse order of district seniority from among the employees who have the qualifications and ability for the remaining position hours.
- **Always review the appropriate contracts for correct procedures.**
- **Any ESPCP employee who, as a result of the October staffing review, suffers any loss of hours must be notified in writing no later than November 15.** Notification will be made verbally by the building principal or department administrator (food services, transportation, special education, ELL, etc.) and Human Resources will notify by certified mail and/or personally delivered and sign-for by the recipient.
- Any ESPCP employee who suffers the loss of two or more hours or the loss of benefits is considered displaced. These employees will be immediately notified in writing that they have been displaced. The employee must be placed, if possible, but may not bump. If not placed, the employee will be laid-off.

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*“Sample Letter”
Reduction in Force
Notification Letter*

DATE

NAME

ADDRESS

CITY, Washington ZIP

Re: *Notice of Non-renewal of (Provisional or Regular) Contract – Loss of Resources*

Dear NAME:

I regret that I must inform you of my determination that there is cause for the non-renewal of your employment contract as a certificated employee of Clover Park School District. The Board of Directors has determined that an emergency situation exists because the district is not assured of funds sufficient to maintain its program and services at present levels for the ???? - ???? school year.

Therefore, your contract will be non-renewed under the criteria established in Article VII (Reduction in Force) of the Collective Bargaining Agreement between the Clover Park Education Association and Clover Park School District.

Vacancies that arise for certificated positions will be filled in accordance with the provisions of the Collective Bargaining Agreement, which provides for the filling of vacancies by qualified persons who have been placed in the re-employment pool pursuant to the reduction in force procedures. As a member of the re-employment pool, you will be considered for vacancies in accordance with the terms of the agreement. In addition, pursuant to the negotiated agreement, members of the re-employment pool may, upon application, be placed on the substitute teacher roster in a special pool and receive certain preferences for employment as substitute teachers. Please make sure the Human Resources office has your current telephone number and mailing address to facilitate communications from the district.

This notice is given pursuant to RCW 28A.405.220 (or RCW 28A.405.310 for tenured teachers) (see enclosed copy), under which you have the right to meet informally with me for the purpose of requesting a consideration of the foregoing non-renewal decision. If you are not reinstated as a result of such meeting, your request for consideration will be submitted to the Board of Directors for final action. Should you want to meet with me, you must file a request for such a meeting with my office within ten (10) days immediately following your receipt of this letter.

I very much regret that the difficulties facing the district may require reductions in staff. Your competency as an educator was not a factor in determining that your contract not be renewed. I appreciate your service to the district and hope that the district will be in a position to offer re-employment.

Sincerely,

NAME

Superintendent

*Enclosure: RCW 28A.405.210 or
RCW 28A.405.310*

Xc: CPEA

File

Former Procedure: 5256-P1

Date: 06.12.95

Revised: 12.29.03; 02.05.13