

PROFESSIONAL STAFF REDUCTION IN FORCE

Reduction in Force (RIF)

Philosophy of RIF

If a reduction in certificated personnel becomes necessary after a generous amount of circumspection, such reductions shall be accomplished with concern for the individuals involved and shall assure, to every extent possible, preservation of the well-being of the students, the school community, and the faculty in order that the integrity and long-range future of the District may be best served.

The termination of a certificated staff member by the District, other than termination for cause, is legitimate only when justified by declining enrollment or reasons of economy and should be implemented only after considering all other alternatives to alleviate such emergency. The implementation of the Reduction in Force (RIF) policy is designed as an exception to the usual Arizona tenure laws.

If the RIF procedure must be implemented due to declining enrollment, certificated staff members will not be terminated in greater percentage than the enrollment decline of the current year, plus the projected percent of enrollment decline for the following year.

If the RIF procedure must be implemented, specific justifications for the RIF action must be given. Impending implementation of RIF procedures will be made public no less than forty-five (45) calendar days prior to Board action.

Legal basis of RIF

Pursuant to A.R.S. 15-544, "no reduction in the salary of a continuing teacher shall be made except in accordance with a general salary reduction in the school district by which he is employed, and in such case the reduction shall apply equitably among all such teachers."

The consideration for the reduction or elimination of teachers in the District shall be based on one (1) or more of the following:

- The effectuation of economies in the operation of the District.
- The improvement of the efficient conduct and administration of the schools in the District.
- Reasons of economy.
- Lack of pupils.

Alternatives to Reduction in Force - effect of attrition

The District shall determine as accurately as possible the total number of staff members known to be leaving the District for reasons of retirement, leave of absence, normal resignation, or discharge. These vacancies will be taken into consideration when determining the number of available positions for the following school year. The District will make every effort to avoid having to reduce employees who intend to return to the District by not replacing vacant positions caused by attrition factors. In addition, the implementation of RIF procedures should take place only after consideration of other alternatives such as initiation of an early retirement program, assistance in locating appropriate positions in other school districts, allowance of training time for new positions, placement of unassigned persons in special projects, job sharing, utilization of the creative abilities of employees faced with loss of job security to help with possible alternatives, maximization of leave policies, teacher-initiated and District-initiated transfers, the availability of new grants, and a generalized salary reduction for District employees.

Reduction in Force procedures

Teachers to be RIFFED will be notified by the Board or its designee or by certified letter no later than April 15 of the current school year. Such notification will be delivered personally to the teacher or sent by certified mail bearing a postmark on or before April 15.

The Board shall first retain the certificated staff members who have the longest seniority in the District, who hold valid Arizona teaching certificates, and who are qualified to work in the areas/programs to be continued. Seniority is defined as length of continuous service within the District as of the first day of work for which the employee was paid. Approved leaves shall not interrupt and shall be counted as continuous service. Total length of prior certificated teaching service, including experience outside the District, will be used to break any ties existing on the basis of first day of work. Degrees and Board-approved hours of preparation beyond degrees as shown on the District salary schedule classifications shall be used to break any ties existing on the basis of both the first day of work and total length of service.

A seniority list of certificated staff members, including supervisors and administrators, shall be printed each year by the District on or before January 1, according to the first day of work within the District. *First day of work* is defined as the first day of work by a certificated employee for pay. Such day must be the beginning day of continuous service. Supervisors' and administrators' "first day" will be the time of initial entry into the District as a certificated employee.

Two (2) separate seniority lists for certificated staff members shall be established: one (1) for continuing (tenured) staff members and the other to include probationary and part-time staff members. An employee shall be placed on the continuing teacher seniority list upon attainment of tenure as prescribed under Arizona law. In no case shall an employee on the continuing teacher seniority list be RIFFED prior to an employee on the probationary-part-time seniority list if such employee meets all other applicable conditions of the RIF policy.

For the purposes of Reduction in Force and seniority, part-time employment will not count toward seniority for newly hired employees beginning with the 1981 - 82 school year. Part-time teachers hired in 1981 - 82 or later who eventually gain tenure in the District will be given credit for full-time employment only.

For continuing employees, probationary employees, and for part-time certificated employees employed prior to the 1981 - 82 school year, seniority will be computed on the basis of F.T.E.

(full-time equivalency). The formula used to compute the seniority earned will be days employed divided by District days taught times F.T.E. (A three-fifths [3/5] teacher working one [1] semester only would be $90/180 \times .60$, or a seniority index of .30, as opposed to a full-time teacher/full-year seniority index of 1.00.) Using this seniority index, all certificated employees working part time in any year(s) prior to 1981 - 82 will be given credit for full time, part time, or any combination thereof.

RIFFED employees shall have the option of accepting any part-time position from which they are qualified without jeopardizing their recall status for any full-time position.

Reemployment Rights

Any certificated staff member involuntarily terminated under this policy shall have a preferred right of reappointment in the District according to the District seniority list in the event of an increase in the number of certificated staff members, vacancies, or reestablishment of previously reduced services within a period of three (3) years from the date of termination. Available positions shall be offered in the reverse order of layoff; last laid off shall be first reemployed and first laid off shall be last reemployed.

RIFFED employees indicating a willingness to teach as substitutes shall have the first right to substitute call on a daily basis.

All benefits to which certificated staff members were entitled at the time of their layoff, including unused accumulated leave and credits toward sabbatical eligibility, will be restored to them upon their return to active employment. Staff members will be placed on the salary schedule step and column that they would have occupied in the school year succeeding their date of termination, receive earned professional growth credit, and accrue seniority during the time spent on layoff.

The District shall pay the full cost of the current insurance benefit programs of all RIFFED employees up to July 1 following the RIF. After July 1, RIFFED employees shall, upon written request, be allowed to continue their current insurance benefit programs by paying the premiums themselves.

In the event that direct contact cannot be made, the District shall give notice of recall from layoff by sending a certified letter to the employee being recalled at his last known address. It shall be the responsibility of each employee to notify the Board of any change of address for the purpose of proper notification of an available position. The employee shall respond within five (5) working days of such notification whether he accepts or rejects the position.

An employee who is RIFFED will remain on the recall list for three (3) years after the effective date of the RIF. The RIFFED employee's rights to continued recall will be waived when any one (1) of the following occurs:

- Waives recall rights in writing.
- Gives written resignation from the position in the District.

- Fails to accept recall to the position held immediately prior to layoff.
- Fails to report to work in a position that he has accepted, unless such teacher is sick or injured. If a staff member has secured temporary employment elsewhere, he will be allowed up to twelve (12) working days before being required to report to work.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. 15-502
 15-544
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