

### **3.10 -- REDUCTION IN FORCE**

Reduction in Force (RIF) is a policy to guide the Van Buren Public School District, if it becomes necessary, to reduce certified staff members due to a decline in pupil enrollment, financial conditions, program revision or elimination, the closing of facilities, and/or School District reorganization. Whenever a reduction in certified staff members becomes necessary in the opinion of the Board of Education, the following policy will be utilized to accomplish the necessary reduction action:

#### **1. DEFINITION**

- a. Reduction in Force (RIP) - RIF as used in this policy will mean district-wide reduction in certified staff members.
- b. Seniority - Seniority as used in this policy will mean the employee's vertical salary schedule placement on the Van Buren School District's schedule.
- c. Attrition - Attrition is defined as a position left vacant when a teacher voluntarily resigns, retires, or is dismissed from the District.

#### **2. PROVISIONS**

- a. The Board of Education, upon a recommendation by the Superintendent of Schools, shall determine the number of staff members to be placed on RIF leave and the subject area(s), field(s), and/or program(s) to be affected.
- b. To the fullest extent possible, normal attrition will be considered first prior to reduction in force. Part-time teachers in identified areas of specialization shall be released prior to reduction of teachers on full-time contracts.
- c. A teacher placed on RIF leave may engage in teaching or another occupation during the period of such leave.
- d. A RIF-leave status shall not continue beyond two (2) years, unless the leave status is extended by Board action. (See Section III-C for the individual's responsibilities while on RIP-leave status.)
- e. The selection of teachers to be recommended for reduction in force shall be made by the Superintendent of Schools on the basis of the criteria and priorities listed below:

1. Seniority - Reductions will be accomplished by layoffs of the least senior staff members in the identified areas of certification; provided, however, that teachers in their first, second, or third year of Van Buren teaching experience will be maintained on a separate seniority list and will be considered as the least senior staff members for purpose of layoff;
2. Professional Training - If two (2) or more persons have the same seniority and certification area status, reduction will be determined by educational attainment in accordance with horizontal salary schedule placement. Those to the right will be considered the most senior;
3. A person certified in more than one (1) teaching area will be given precedence if seniority status and professional training are equal. A staff

member involved in staff reduction may, if all other employment attributes are equal, exercise seniority and displace or place on layoff the teacher with the least seniority in the School District performing in the same assignment or assignment for which the teacher is certified, provided that the teacher agrees to acquire three (3) college hours of credit in the designated certification area during the summer terms; and

4. If seniority, education placement, and certification of two (2) or more employees are the same, reduction will be accomplished by selecting the one with the most experience in the Van Buren School District. The initial employment acceptance date (month, day, year) may be used to determine reduction if the factors of seniority, educational placement, certification, and Van Buren School experience are equal for two (2) or more persons.

f. Specially funded programs such as Adult Education, Federal Programs, Title I, CSR, and Poverty Index may be modified or eliminated independent of this policy. All employees will be notified in writing of this provision at the time of employment.

g. The implementation of a reduction in force shall not be used to allow certified teaching employees to move to an administration appointment unless selected for such an appointment through the usual selection process.

### 3. PROCEDURE

a. Reduction of certified staff members will be made on a district-wide basis (grades K-12) rather than on a building-by-building basis whenever reduction in force occurs.

b. Written notification to staff members affected by reduction in force will be provided as early as possible but no later than thirty (30) calendar days prior to the layoff.

c. A staff member reduced from employment through the provisions of this policy will be considered to be on RIF leave.

1. RIF-leave status will be maintained for a period of one (1) year (unless reemployed sooner by the Van Buren Schools).

2. If the RIFed employee wished to remain on RIF-leave status for the additional one (1) year period, he/she must notify the District in writing not later than the one (1) year anniversary date of layoff.

3. RIF-leave status will not be affected by employment in another school district or in another occupation.

d. Staff members will be selected for reduction according to provisions and the procedures of this policy. Staff members on leave of absence or sabbatical will be considered in the same manner.

e. A seniority list which will include certification areas for the individuals listed will be used to identify persons for RIF leaves.

f. In the event a staff member, not being considered for RIF, desires to volunteer for RIF-leave status, he/she would request RIF status in writing to the personnel

office within five (5) working days of the announced RIF action. Approval of a RIF volunteer would be made considering the match of the volunteer to the subject area(s), field(s), and/or program(s) affected by the RIF action. If placed on RIF-leave status, the volunteer would be subject to all provisions, procedures, recall, and rights of this policy.

#### 4. RECALL AND RIGHTS

- a. After reduction-in-force action has occurred and the need for the reduction in certified personnel has diminished, RIFed personnel will be offered employment in their certified area prior to employment being offered to teacher applicants. However, the eligible RIFed personnel must be fully certified for the available position as reflected on their current Arkansas Teacher Certificate. When positions are to be filled through the recall process, personnel on RIF leave will be recalled in the reverse order of layoff.
- b. The person being recalled will be offered employment by certified mail from the Van Buren School District. Recall notice will be sent to the person's last known address on file in the District office. It shall be the responsibility of the RIFed person to supply the District with his/her current address.
- c. Within ten (10) calendar days of postmark of the recall notice, the recalled person must accept the offer by replying by certified mail or in person to the Van Buren School District. Rejection of the offer or failure to respond within ten (10) days removes the recalled person's right to any further employment consideration under the provisions of this policy.
- d. Failure to report to work in a position that the RIFed person has accepted, unless said employee presents proof of sickness or injury, shall be construed to be a default. If said RIFed person has secured employment elsewhere, he/she will be allowed a fourteen (14) day period from the date of the acceptance before being required to report to work. A person RIF leave who has contracted with another public school district may opt to complete his/her existing teaching contract. In this case, the person will be hired to fill a position at the beginning of the next school year.
- e. All fringe benefits to which an employee was entitled at the time of RIF leave, including sick leave, personal business days, etc., will be restored to him/her upon returning to full-time employment with the School District. No benefits will accrue during RIF leave status. The employee recalled from RIF leave will be placed on the salary schedule step that he/she would have been on prior to being placed on RIF leave.
- f. Persons on RIF leave who choose to become substitute teachers will be given priority consideration. On the substitute teacher call list, the names of persons on RIF leave status will be so designated. These destined will be given priority when calling substitutes for duty.
- g. All teachers on RIF leave will be given priority over new applicants in filling positions which may open.
- h. When a reduction in force is declared and certified personnel are placed on layoff

(RIF) status, the personnel office will prepare a seniority list of certified personnel. This list according to seniority will include name, service, and certification areas; and RIFed personnel will be designated. The list will be maintained in the personnel office for review by the appropriate school officials, the personnel involved, and a classroom teacher association representative.

- i. A person who is grieved may utilize the District's grievance procedure.