

Personnel: REDUCTION IN FORCE

Policy 502.2.6

A. CIRCUMSTANCES

It is the policy of the Board of Trustees of Bruneau-Grand View School District #365 to act in conformity with the statutes of the State of Idaho to provide a quality education for the children of the district while exercising fiscal responsibility and protecting the rights of individuals involved in the educational system.

The laws of the State of Idaho vest in the Board of Trustees the responsibilities of maintaining and operating the public schools; staffing the schools in the district; and adopting, carrying on and providing for the financing of a total educational program for the district. Such responsibilities must be met by making decisions relative to the educational needs of the children in the district and the community it serves in light of the financial resources available to the district for fulfilling its duties.

Reduction in force is an economic necessity when the school district lacks funds to continue the existing total educational program of the district. Factors affecting a determination that sufficient funds and/or revenues are not available include, but are not limited to:

1. decreasing student enrollments, whether within a course, curriculum, program, grade, or the entire district
2. rising costs of maintaining and operating the schools of the district
3. decreasing revenues
4. economic depression of the area
5. other financial circumstances.

The District's board may choose to implement a RIF through:

1. The elimination of an entire program or portion of programs;
2. The elimination of positions in certain grade levels only;
3. The elimination of positions by category;
4. The elimination of positions in an overall review of the district;
5. The elimination of positions through other considerations and implementation decisions;
6. The elimination of a position or percentage of a position(s) or;
7. Any combination of the above.

B. REDUCTION CRITERIA

When, in the judgment of the Board of Trustees of Bruneau-Grand View School District #365, it is necessary to reduce the number of teaching positions in the district, attrition will be the first form of reduction in force.

When attrition does not adequately solve the reductions necessary, the following procedure will be used:

1. In the event of a reduction in staff is required teachers who are retained pursuant to this policy may be reassigned if suitable position openings are available in instructional areas for which they are highly qualified and for which the principal has approved transfer as per Idaho Code requirements.
2. Employees reduced under this policy will be presumed to have been performing satisfactorily. The decision will be made as follows:
 - a. Area(s) of certification for which the teacher is Highly Qualified which are classified by the district as hard to fill positions.
 - b. Number of areas of certification for which the teacher is Highly Qualified.
 - c. Educational/degree status.
 - d. National Certifications held.
 - e. Position as a Lead or Master Teacher within the district.
 - f. Whether or not the teacher is Highly Qualified in a course necessary for High School Graduation Requirements.
 - g. Whether or not the teacher is Highly Qualified in a course necessary for Middle School Advancement.
 - h. Contribution and /or involvement in Extra Curricular or Co-Curricular positions with students.
 - i. Compliant with Professional Standards and Conduct over the course educational career.
 - j. Teacher evaluation including components required by state statute to be encompassed in teacher evaluation.

The board will utilize a point system for the above criteria for the implementation of this RIF policy. The appended chart which was adopted as part of this agreement identifies the specific point value for each of these areas of consideration.

For each teacher subjected to RIF considerations based upon the board's method of implementation, a Teacher Profile shall be developed by the District Office applying the criterion to each respective teacher.

The factors for consideration shall be reviewed on an annual basis by the district's administration to determine whether factors should be added or eliminated or weighed differently. Such recommendations for modification will then be brought before the board for consideration.

C. NOTIFICATION

The District Office shall advance notify the possible reduction in force to all teachers who may be released based upon the number of teachers who may be released in whole or in part and the school program, teacher positions or categories of positions that may be affected.

With this notification, the District Office shall provide a copy of the Teacher's Profile, utilizing the established point system, and the steps a teacher should take if they believe there is an error in their individual Teacher Profile.

If a teacher receiving a Teacher Profile believes there is an error that has been made on their individual profile, the teacher shall notify the District Office of their concern of an error in writing, by the close of the school day on the third school day after the Teacher Profile has been delivered to the teacher or the teacher's mailbox. This written notice shall specifically identify what element or elements of the Teacher Profile are believed to be erroneous and explain specifically why the element(s) is believed to be in error.

If the District Office receives notice of a possible error, each such written notice, timely received, shall be individually reviewed for possible reconsideration or evaluation of the information used to create the teacher profile. This may include a member of the district's or school's administration communicating directly with the teacher to obtain more information or documentation relating to the alleged error.

- a. If the District Office determines that an error was made in completion of the Teacher Profile, a new profile will be created and forwarded to the teacher in question.
- b. If the District Office determines that no error was made in completion of the Teacher Profile, the teacher shall be notified of this determination.
- c. The teacher shall have a period of three school days to file written notice of an appeal of this decision to the district superintendent. Thereafter the superintendent or designee of the superintendent shall review the dispute, in whatever manner the superintendent/designee deems appropriate for the circumstance, and makes a final decision on the issue of the appeal and questioned error of the Teacher Profile.

If the board determines that a RIF in fact will be implemented, the superintendent shall submit a list of teachers recommended for release, through the use of the above process, and shall make recommendations to the board as to what due process, if any the board needs to implement for each individual personnel situation.

All releases shall be done in conformance with the applicable provisions of the Idaho Code and all affected teachers will be promptly notified, in

writing, of the board's decision or action that need be taken by the board relating to the applicable due process activities, if any.

D. REEMPLOYMENT

If the contract of employment of a teacher is terminated because of the implementation of this RIF policy, the name of the teacher shall be placed upon a reappointment list for a period of two years.

If a position becomes open during such period, and the teacher has been selected by the board as a person on the recall list who is Highly Qualified and most capable of holding the position, then the teacher will be notified in writing by certified mail sent to the last known address at least thirty days prior to the anticipated date of employment when possible.

In determining whether a teacher is qualified for reappointment, the board shall consider the criteria set forth. The teacher shall accept or reject the appointment within seven days after receipt of such notification. If the appointment is accepted, the teacher shall receive a written contract within twenty days of receipt of the teacher's reply by the board. If the teacher rejects the appointment offered or does not respond accordingly to this procedure within seven days after receipt of such notification, the name of the teacher will be removed from the recall list.

Legal reference: Idaho Code 33-515 "Issuance of renewable contracts"

Adopted: May 9, 2002

Reviewed:

Revised: February 12, 2003; May 16, 2006, Negotiations Agreement; July 14, 2011
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