

Staff reduction procedures will apply only to certificated employees as defined in Policy 448. Employees reduced under this policy will be presumed to have been performing satisfactorily. Prior to commencing action to terminate certified staff contracts under this procedure, the board directs the superintendent to give due consideration to the ability to effectuate position elimination and/or reduction in staff by: (a) voluntary retirements; (b) voluntary resignations; (c) transfer/reassignment of existing staff members; and (d) voluntary leave of absence.

RIFs will be calculated at the building level. Staff identified for a RIF will be categorized by grade level and building and, if applicable, by subject. For example, middle school/junior high and high school teachers will be grouped by certification areas (e.g., language arts, math); career technical education teachers will be grouped separately by certification areas (e.g., masonry, auto body, horticulture); and K-12 teachers will be grouped separately by special subject certification areas (e.g., physical education, health, music).

In the event a RIF is required, certified staff who are retained pursuant to this policy may be reassigned if suitable position openings are available in instructional areas for which they are endorsed and qualified and for which the principal has approved transfer as per Idaho Code requirements. However, certified employees on the RIF list cannot transfer into a position that would cause another employee (not on the RIF list) to lose their position. If the funding for specially funded positions is reduced or eliminated, certified staff paid by the special funds may be reduced or eliminated.

### **RANKING OF EMPLOYEES**

In making a determination as to the individuals to be released pursuant to the RIF, consideration (without reference to seniority) may be given to the following criteria:

1. Certified staff evaluation, including components required by state statute to be encompassed in certified staff evaluation.
2. Educational certifications and credentials, including certification in areas considered by the district as hard to fill.
3. Demonstrated professional leadership, including serving (i) as a mentor; (ii) on the curriculum or assessment committees; (iii) as an athletic coach or activities advisor; and/or (iv) an instructional specialist or instructional coach.
4. National certifications held.
5. Compliance with professional standards and conduct over the course of the last three (3) consecutive years.
6. Graduate education degree or coursework.
7. Veteran's status.

The above criteria will be given a point value for consideration in the implementation of this policy. The appended example chart (448F1) identifies specific point values for each of these areas of consideration. For each certified staff employee subject to RIF consideration, a certificated employee profile shall be developed by the superintendent or designee, applying the criterion to each respective certificated employee.

Certified staff with a current evaluation will be given a priority in a RIF. Personnel returning from leave will be ranked according to their most recent evaluation and placed after existing staff according to that ranking. Certified employees on board-approved leaves of absence shall be subject to all provisions of the RIF policy and procedures.

## **NOTICE**

The superintendent or designee shall provide notice to all certified staff who may be released of the possible RIF of the school programs, certificated positions or categories of positions that may be affected. The certified employee's profile, utilizing the established point system, shall accompany such notice, together with a copy of this policy and procedures. The notice shall also include the steps the certified employee should take if they believe that there is an error in their individual certified staff profile.

If a certified employee receiving a profile believes that there is an error that has been made on their profile, the certificated employee shall notify the superintendent or designee, of his/her concern of the error, in writing, by the close of the school day on the third school day after the certified employee profile has been delivered to the certified employee. The written notice shall specifically identify what element(s) of the profile are believed to be erroneous and explain specifically why the element(s) is/are believed to be in error.

If the superintendent or designee receives notice of possible error, each such written notice, timely received, shall be individually reviewed for possible reconsideration or evaluation of the information used to create the certified employee profile. This may include a member of the district's or school's administration communicating directly with the certified employee to obtain more information or documentation relating to the alleged error. The following options are available upon receipt of an alleged error in a certified employee profile:

- a. If the superintendent or designee determines that an error was made, a new profile will be created and forwarded to the certified employee in question.
- b. If the superintendent or designee determines that no error was made, the certified employee shall be notified of the determination. The certified employee shall have a period of three school days to file a written notice of appeal of the decision to the superintendent. The superintendent or designee shall review the dispute, in whatever manner the superintendent/designee deems appropriate for the circumstances, and make a final decision on the issue of the appeal and questioned error of the certified employee profile. The final decision is exempt from any grievance policy now in existence or hereafter created or modified.

**IMPLEMENTATION**

If the board determines that a RIF will be implemented, the superintendent shall submit a list of the certified staff recommended for release, and shall make a recommendation to the board as to what due process, if any, the board needs to implement for each individual personnel situation. Certified employees who are affected by the implementation of the RIF will be promptly notified in writing of the board’s decision and/or actions that need to be taken by the board relating to applicable due process activities, if any.

**RECALL RIGHTS**

Any certified employee who loses a position as a result of the RIF will be placed on a recall list for two (2) years from the effective date of the RIF. Such recall rights or opportunities are also based upon the same criteria and will be implemented in the reverse order of the RIF.

When the district determines that a position is available for which an individual is qualified, the district will attempt to contact the former employee for a period of seven (7) days by person and/or certified mail. The employee will have ten (10) days after being contacted to accept or reject, in writing, the contract offer. If the district is unsuccessful in contacting the employee during the seven (7) days, or if the employee rejects the contract offer, the employee forfeits any future recall rights and the district will offer the position to the next qualified person on the recall roster. It will be the responsibility of each former employee on the recall roster to provide a current mailing address, place of residence, and telephone number, or other means by which to contact the former employee.

The recalled employee will return with no loss of prior service credit placement on the current salary schedule. Any employee who has been recalled is entitled to credit on the salary schedule for any contracted teaching experience gained during the layoff and for additional college course work completed.



**LEGAL REFERENCE:**

Idaho Code Sections:

- 33-513 – Professional Personnel
- 33-514 – Issuance of Annual Contracts – Support Programs – Categories of Contracts – Optional Placement
- 33-514A – Issuance of a Limited Contract – Category 1 Contract
- 33-515 – Issuance of Renewable Contracts
- 33-522 – Financial Emergency
- 33-522A – Reduction in Force

**ADOPTED:** February 20, 2024

**AMENDED:**

**CROSS-REFERENCE:**

Reduction in Force #448