

ESP Reduction in Force

- Seniority list developed by February 1 of each school year
- Employee given 30 days notice by District
- District can give employee 5 days notice if there is an unforeseen reduction in student population
- Number of days for the notice can be defined in a collective bargaining agreement (CBA)
- The employee with the shorter length of continuing service with the district within a respective category of position are to be dismissed first unless the CBA defines an alternative method for determining the sequence of dismissal

Bumping Rights

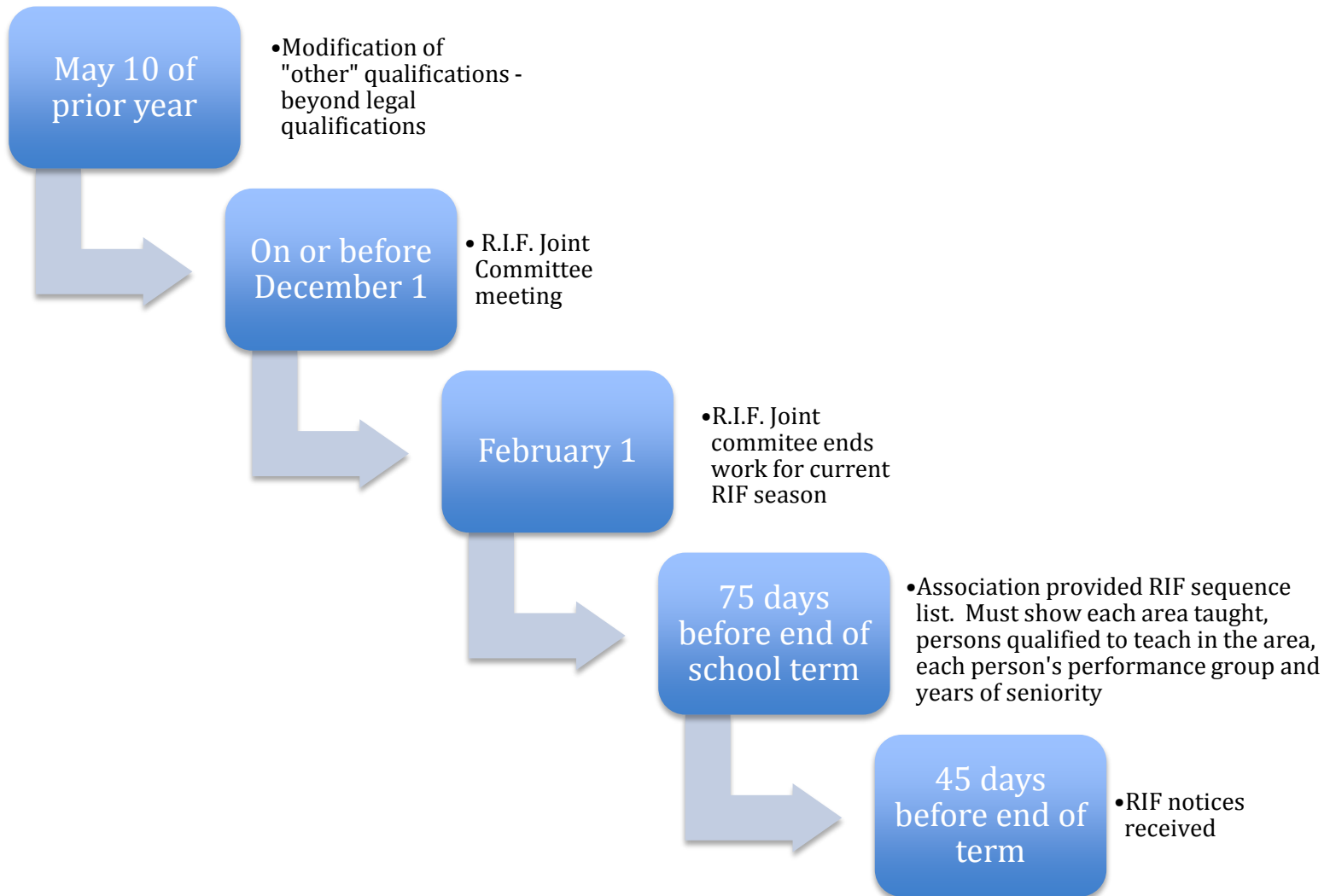
- Statutory preferential right for dismissed employees, for bumping purposes, only apply within the "category of position" that the employee was reduced from unless a CBA provides bumping rights into other categories of positions

ESP Recall Rights

- Employees have recall rights for one year from the beginning of the school year the following Fall
- Recall rights can be defined in a collective bargaining agreement
- RIF'd employees should advise the District if he/she wishes to be considered for any vacancy and ensure his/her contact information is current

District Requirements

Reduction in Force Timeline for Teachers



Equal number of union/management representatives that meet by 12/1 and conclude by 2/1 of each school year

Determine criteria/standards for Groups 2-4

Does NOT place teachers in Groups

RIF Joint Committee

Can move teachers from Group 3 to Group 4*

*No teacher with a rating of Needs Improvement or below in one of the last two evaluations can be moved from Group 3 to Group 4. Group 4 can include more than teachers with 2 excellent ratings in last 3 years.

Can move teachers from Group 2 to Group 3*

*No teacher with an Unsatisfactory in one of the last 2 evaluations can be moved to Group 3. Can move a teacher with a Needs Improvement and a Proficient or Excellent rating to Group 3. The final rating after remediation does not count as an evaluation considered for the purposes of RIF grouping.

RIF Groupings

Group 1

Non-tenured teachers with no summative evaluation rating by the time RIF notices sent.

Non-tenured teachers employed for one term or less to replace teacher on leave;

Non-tenured part-time teachers even if evaluated (tenured part-time teachers fall within the group applicable to their performance)

Teachers with unsatisfactory or needs improvement in 1 of the last 2 evaluations.

Joint Committee can agree to move some of these teachers to Group 3 (not teachers with unsatisfactory rating)

Teachers with proficient rating on last two evaluations from different school years

and Teachers moved up from Group 2 by Joint Committee.

Group 4

Teachers with evaluations with an excellent rating on 2 of the last 3 evaluations or last two evaluations

Highest performing teachers as determined by Joint Committee.

R.I.F. lists must be sorted by position – reflecting certifications and qualifications.

Other qualifications (beyond legal minimums) must be in job description by May 10 the year before RIF notices sent. Qualifications to teach particular courses are governed by regulations published by the State Board of Education. Example of additional qualifications: Coursework towards a 2nd language.

A non-tenured teacher who has not yet received an evaluation by the time the 75 day list is posted may still receive an evaluation before the RIF notices are sent out at the 45th day prior to the end of the school term – thereby altering the makeup of Grouping 1 and other groupings. This provision is limited to non-tenured teachers who have not received a prior evaluation.

RIF Sequence

Group 1

RIF'd 1st

Order of dismissed within group at the discretion of the district.

Group 2

RIF'd 2nd

Grouped by performance averages.
Lowest averages are first on list.
Within averaged groups, RIF'd by inverse seniority.

Group 3

RIF'd 3rd

RIF'd by inverse seniority.

Group 4

RIF'd 4th

RIF'd by inverse seniority.

Recall Order

Group 4

Recalled 1st

Recalled in seniority order, i.e. inverse order of RIF.

Group 3

Recalled 2nd

Recalled in seniority order, i.e. inverse order of RIF.

Group 2

Recalled 3rd

Limited recall rights for certain teachers in inverse order of RIF.

Can bargain recall rights into CBA.

Group 1

Recalled 4th

No recall rights, but may be recalled.

Can bargain recall rights into CBA.

Teachers in Groups 3 and 4 have recall rights when a vacancy occurs in the following school term or within one calendar year from the beginning of the following school term (two calendar years if more than 15% of certified employees were RIF'd).

Teachers in Group 2 have recall rights when a vacancy occurs within the period from the beginning of the following school term through Feb. 1 of the following school term (unless a date later than Feb. 1 but no later than 6 months from the beginning of the following school term, is established in a collective bargaining Agreement).

Important Information for employee receiving RIF/Non-Renewal Notice

Health Insurance

RIF'd employee needs to verify with District if health insurance continues through summer months

Employee should receive notice of COBRA benefits and has 60 days after receipt of notice to elect to continue health insurance coverage

COBRA coverage continues for up to 18 months after dismissal and the cost cannot exceed more than 102% of the group coverage amount

Compensation

Teachers have right to receive all earned compensation within 3 days following the last day of pupil attendance in the regular school term

ESP have right to receive all accrued unpaid income on or before the next regular pay date following the last day of employment

Unemployment compensation available after receiving last paycheck (will not receive benefits for the first week of unemployment)

Be sure to take dismissal notice to the State Unemployment Office on first visit

IEA Dues

RIF'd employee has option of continuing IEA membership by paying 1/2 cost of current IEA and NEA dues

Reduced rate available for the recall period or 3 years, whichever is longer