

Teton School District No. 401

PERSONNEL

5740PA2

Reduction in Force Procedures

The following definition and procedures shall be used for conducting a reduction in force.

Definition

As used in this procedure, “teacher” shall apply to any employee of the District who holds a certificate issued by the State Board of Education who is employed in a teaching or administrative position, below the rank of Superintendent.

Procedures

1. Prior to commencing action to terminate teacher contracts under this procedure, the Board will give due consideration to its ability to effectuate position elimination and/or reduction in staff by:
 - A. Voluntary retirements;
 - B. Voluntary resignations;
 - C. Transfer of existing staff members; or
 - D. Voluntary leaves of absence.
2. In the event a reduction in force is required, teachers who are retained pursuant to these procedures 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 pursuant to Idaho Code.

If a suitable certificated position is not available, then the teacher shall be granted the first right of refusal for any available classified positions. The point system shall determine the order of the first right of refusal. The teacher with the most points will have the first right of refusal.

3. In the Board’s determination as to the individuals to be released pursuant to the reduction in force, consideration will be given to the criteria set out below. Each criterion shall be considered in terms of the total context when selecting those employees who are to be considered for release pursuant to the provisions of these procedures. The following criteria will be considered:
 - 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. Whether or not the teacher is highly qualified in a course necessary for high school graduation requirements;
- F. Whether or not the teacher is Highly Qualified in a course necessary for middle school advancement;
- G. Contribution and/or involvement in extracurricular or co-curricular positions with students;
- H. Compliance with Professional Standards and Conduct over the course of employment with the District; and
- I. Teacher evaluation, including components required by Idaho Code to be encompassed in teacher evaluation.

It is the intention of the Board that each of the above criteria be given a point value for consideration in the implementation of this reduction in force. The appended chart, which is adopted and incorporated as part of these procedures, identifies the specific point values for each of these areas of consideration.

For each teacher subject to reduction in force consideration based upon the Board's method of implementation, a teacher profile shall be developed by the Human Resources Department, applying the criteria 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, eliminated, or weighted differently. Such recommendations for modification will then be brought before the Board for consideration.

4. The Superintendent or Human Resources Department shall advance notice of 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 programs, teacher positions or categories of positions that may be affected.
5. With this notification, the Superintendent or Human Resources Department shall provide a copy of the teacher's profile, utilizing the established point system, and the steps a teacher should take if they believe that there is an error in their individual teacher profile.
6. If a teacher receiving a teacher profile believes that an error that has been made on their individual profile, the teacher shall notify the Superintendent or Human Resources Department of their concern of an error, in writing, by the close of the school day on the fifth 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.

7. If the Superintendent or Human Resources Department 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 Teacher Profile. This may include a member of the administration communicating directly with the teacher to obtain more information or documentation relating to the alleged error.
 - A. If the Superintendent or Human Resources Department 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 Superintendent or Human Resources Department 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 five school days to file written notice of an appeal of this decision to the District's Superintendent. Thereafter the Superintendent or the Superintendent's designee shall review the dispute, in whatever manner the Superintendent or designee deems appropriate for the circumstance, and make a final decision on the issue of the appeal and alleged error of the teacher profile.
8. If the Board determines that a reduction in force in fact will be implemented, the Superintendent shall submit a list of the teachers recommended for release, through use of the above process, and shall make recommendation to the Board as to what due process, if any, the Board needs to implement for each individual personnel situation.
9. All releases shall be done in conformance with the applicable provisions of Idaho Code and all affected teachers will be promptly notified, in writing, of the Board's decision or actions that need to be taken by the Board relating to applicable due process activities, if any.
10. Recall Provisions: If the contract of employment of a teacher is terminated because of the implementation of these reduction in force procedures, the name of the teacher shall be placed upon a reappointment list and remain on such list for a period of 3 year(s).

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 30 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 as set forth in this policy. The teacher shall accept or reject the appointment in writing within seven days after receipt of such notification. If the appointment is accepted, the teacher shall receive a written contract within 20 days of receipt of the teacher's reply by the Board. If the teacher rejects the appointment offer or does not respond according to this

procedure within seven days after receipt of such notification, the name of the teacher will be removed from the recall list.

Procedure History:

Adopted on: September 10, 2018

Revised on: