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Reduction in Licensed Administrative Personnel

This policy is applicable to all licensed administrators below the rank of assistant superintendent who are not “acting” (temporary). If a reduction in force is necessary within the ranks of assistant superintendent, the superintendent shall retain the flexibility to identify the position(s) to be eliminated and the individuals to be laid off.

Whenever it becomes necessary to reduce licensed administrators due to lack of funds or administrative decision, the district will retain administrators according to competence, merit, seniority and license as defined in this policy and the administrative regulations which are adopted to implement this policy. This policy will be interpreted and applied in accordance with Oregon Revised Statutes. Administrators to be laid off will receive 90 days notice.

Merit means the measurement of one administrator’s ability and effectiveness against the ability and effectiveness of another administrator. Competence means the ability to perform the essential functions of a job or assignment based on recent experience or educational attainments, or both, but not based solely on type of license and endorsements of an employee. The superintendent or designee may interpret “recent experience” as having performed the essential functions of the job or assignment within the last five school years. The superintendent or designee, as a guideline, may consider whether a person has held a position “directly above” or a position “directly below” the eliminated position. “Directly above” means a supervisory position. “Directly below” means a direct or indirect reporting relationship to the superintendent.

Superior competence is defined as one administrator having more experience or more recent experience for a particular position than another administrator. It is demonstrated by three more years in the particular position; ten more years in comparable positions; or current experience while the other administrator’s experience is at least five years old.

Length of Service is calculated from the first day of actual continuous service as an administrator in the district inclusive of approved leaves of absence. If necessary, ties in length of service shall be broken by drawing lots.

Qualified means training, experience, skill and other attributes in addition to the individual’s license.

Administrative positions will be grouped into job groups which the superintendent determines are sufficiently comparable to be treated together for purposes of this policy.

When an administrative position is eliminated, the administrator to be reduced from that job group will be selected by merit, competence, seniority and license. If that administrator is not reassigned to a vacant administrative position, the administrator may bump another administrator in an equal or lower level job group according to merit, competence, seniority and license. Any bumped administrator will be considered

for reassignment or further bumping. An administrator who has previously taught in the district may voluntarily return to a teaching position.

A laid-off administrator has recall rights for 27 months after the effective date of the layoff. Recall will be by merit, competence, seniority and license as positions which the administrator is qualified to perform become available. The administrator must be fully capable of performing the normal and customary duties of the job. Recall rights terminate upon resignation, assignment to a nonadministrative position, expiration of the 27-month recall period or rejection by the administrator of an appropriate administrative position offered by the district. Administrators must retain a valid administrative license to be eligible for recall.

Notification of recall will be in person or via registered or certified mail to the last known address of the administrator. The administrator must accept the offered position in writing within 10 calendar days from the date of personal delivery or postmark. If the administrator does not do so, or fails to report for duty on any reasonable date thereafter, the administrator loses recall rights and is considered to have resigned. The superintendent may permit continuing assignment to the recall pool when extenuating circumstances exist.

The district is committed to affirmative action regarding employment of minorities and women in management capacities.

Decisions made by the superintendent and the Board, along with the rationale, shall be shared with administrators who are reduced under the terms of this policy. Public announcements should occur only after administrators who have been specifically affected have been so informed.

The Board reserves the right to amend, revise or repeal all or any part of this policy at any future time and no employee shall have any vested right in the continuation of this policy or any amendment thereof; provided, however, that no amendment or repeal of this policy shall prejudice the reinstatement rights of any manager who is in the "recall pool".

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 342.934](#)