

NEW POLICY

GBKAR LICENSED PERSONNEL REDUCTION IN FORCE

Draft for discussion purposes 11/06/13

BOARD POLICY

1. When certain conditions necessitate a reduction in force (RIF) greater than what can be accomplished through attrition and appropriate reassignments, it shall be the policy of Board to accomplish the RIF utilizing Board approved priorities and procedures. RIF is a justifiable decrease in the number of positions due to District reorganization, decreased enrollment or decreased funding. The primary objective of the Board when reducing the work force will be maintaining a fair and balanced educational program that is consistent with the functions and responsibilities of the District.

2. When the superintendent believes that an RIF is necessary, appropriate, or in the best interest of the District, the superintendent will present a written recommendation to the Board. The Board will review the superintendent's recommendation and determine whether to authorize the RIF.

3. The Board will consider the following factors in determining which employees will be included in the RIF:

- Work performance;
- Status as "highly qualified" as defined by the No Child Left Behind Act;
- Service in extra duty positions and ability to fill such positions;
- Length of service, with higher priority given to service in the Tupelo Public School District;
- Recommendations and advice from the superintendent or designee;

Other beneficial services provided to the District.

Among these factors, primary consideration will be given to (a) and (e) above. In assessing an employee's work performance for purposes of this policy, the District may consider performance evaluations, improvement plans, past disciplinary actions, and other relevant factors as determined by the superintendent.

4. Upon recommendation of the superintendent, the Board may exempt employees from the RIF requirements if their displacement: results in the cancellation of the course(s) because no other staff member is trained to teach the course(s);

results in significant impairment in providing services or programs because of insufficiency of training and/or experience of other staff members;

results in any other special or exceptional circumstances as recommended by the superintendent and approved by the Board.

5. All procedures required by the Education Employment Procedures Law shall be followed. Nothing in this policy is to be construed as limiting the power of the Board to dismiss or release a teacher or licensed employee for cause or as otherwise permitted by law. Nothing in this policy shall be construed so as to limit the power of the Board to non-renew a teacher or licensed employee pursuant to law regarding positions which are not being eliminated or abolished.

ADMINISTRATIVE PROCEDURE

1. The superintendent's RIF recommendation will include: 1) the grounds for the RIF; 2) the number or estimated number of licensed positions to be reduced; and 3) the background information, data, and rationale for the recommendation. The Board will review the superintendent's recommendation and determine whether to authorize the RIF.

2. Upon authorization by the Board, the superintendent will recommend to the Board, which employees are to be dismissed or demoted, based on the following guidelines

- importance of the position to the mission, goals, and objectives of the District;
- subject area(s) and advanced degrees by certification;
- quality of performance including the proven ability to accomplishment the educational mission of the District ;
- executive ability;
- employee attendance and discipline history;
- experience, professional training, length of service within the District and work assignment;
- skills and licensure in the area(s) where the District has instructional and/or supervisory needs.

3. The superintendent will provide timely written notice to teachers eligible under the Education Employment Procedures Law (EEPL).

4. Employee groups for purposes of implementing RIF are:

- (a) Pre-K – 6 elementary school teachers;
- (b) 7-8 middle school teachers;
- (c) 9-12 high school teachers grouped separately by certification areas (e.g., high school math teachers);
- (d) K-12 teachers grouped separately by special subject certification areas (e.g., physical education teachers);
- (e) Vocational education teachers grouped separately by certification areas (e.g., Electrical trades teachers);
- (f) Special service personnel and school administrators grouped separately by certification or assignment areas (e.g., principals, assistant principals, instructional supervisors/directors, media specialists).

NOTE: Employees with multiple certifications shall be grouped in their current area of assignment (i.e., assignment for at least 50% of the instructional day). The superintendent is authorized to limit or narrow the scope of any affected group to those employees who work in the school, facility, program, or department subject to the reduction in positions.

5. All employees, including those on approved leave with or without pay, in the employee groups and categories affected by the RIF shall be subject to the conditions of RIF as set forth in this procedure.
6. A licensed employee who has been dismissed or demoted due to RIF shall have the right to appeal as outlined in the EEPL.

LEGAL REF.: MS Code Sections 37-9-101 through 37-9-113 and 37-9-59
CROSS REF.: Policy GBK-E C Professional Personnel Separation