

Reduction in Force (RIF) Procedures

The decision to institute a RIF and the selection of an employee or employees subject to such reduction shall be at the sole discretion of the Board, except for the following limitation: The decision as to which employee or employees shall be subject to such reduction shall not be made solely on consideration of employee seniority or contract status.

Prior to commencing action to terminate certified employee contracts under these procedures, 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 to another position for which the individual is appropriately qualified; and
- d. Voluntary leaves of absence.

Procedures

1. Upon its declaration of a financial emergency, the Board shall reopen the salary and benefits compensation aspects of the negotiated agreement, to include the length of the certificated employee contracts along with the amount of compensation and benefits.
2. The Board and the Lakeland Education Association ('LEA') shall meet and confer in good faith for the purpose of reaching an agreement.
3. If the parties to the negotiated agreement mutually agree, other matters contained within the negotiated agreement directly affecting the financial circumstances in the district may be discussed and negotiated.
4. Prior to commencing action to terminate certificated employee contracts under these procedures, the District Administration will determine what building(s), grade level(s), and/or subject matter(s) need to be reduced pursuant to this policy. The District Administration will make a list of the certificated employee's names, subjects, grade levels and buildings.
5. In the event a RIF is required, certificated employees, 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 for which the principal has approved the transfer pursuant to Idaho Code requirements.
6. In making a determination as to the individuals to be released pursuant to the RIF, consideration will be given to criteria. Each criterion, below, shall be considered in terms of the total context when selecting those employees who are to be considered for reduction. The following criteria will be considered:

- a. Evaluations
  - b. Educational Certification and Credentials
  - c. Student and/or School Activities
  - d. Extracurricular Activities
  - e. Extra-Duties
  - f. Professional Contributions
  - g. Longevity
  - h. Tie Breaker Considerations
7. All position considerations for a RIF will be jointly reviewed by the District Leadership team and the LEA Leadership team prior to completing Policy 5740F.
  8. The Superintendent, Assistant Superintendent, the HR Director, and building administrators will determine the points received on Policy 5740F for the certificated employees considered for a RIF. Considerations start with the lowest points allocated for Category 2, Category 3, and all renewable certificated employees who scored Overall Basic or have a Basic classification in Domain 2 and/or Domain 3 on the prior and/or current year's Individualized Professional Learning Plan (IPLP).
  9. If additional reductions are necessary, then all remaining certificated employees will be identified and scored. RIF considerations will start with the lowest score.
  10. The HR Director will provide a RIF notice and Policy 5740F to the certificated employee affected by the RIF, along with a copy of the RIF policy and procedures.
  11. If the certificated employee selected for a RIF believes there is an error made on the scoring form, the certificated employee shall notify the HR Director of his/her concern, in writing, by the close of the 3rd work day after the RIF notice has been received. The certificated employee shall identify what element(s) is/are believed to be erroneous and explain why the element(s) is/are believed to be in error.
  12. If the HR Director receives notice of possible errors, each written notice shall be reviewed for possible reconsideration or reevaluation of the information used to create the certificated employee score.
    - a. If the HR Director determines an error was made, then a new form will be created and forwarded to the certificated employee within five (5) work days from the date of submission.
    - b. If the HR Director determines that no error was made, then the certificated employee shall be notified of the determination within five (5) work days from the date of submission.
  13. The certificated employee shall have three (3) work days to file written notice of an appeal of the HR Director's decision to the Superintendent. The Superintendent shall review the dispute and make a final decision on the issue of the appeal. The final decision is exempt from any Grievance Policy.
  14. Certificated staff members not affected by a RIF may be reassigned and may have extra duty assignments removed with appropriate reductions of salaries from pre-existing salary levels.

15. Certificated employees who are affected by the implementation of a RIF will be promptly notified in writing of the Board's decision or actions that need to be taken by the Board relating to their right to a due process hearing.
16. Any certificated employee who loses a position as a result of the RIF shall be placed on a recall list for two years from the effective date of the RIF. When an opening occurs, Principals will use the score from the RIF Form to make priority callbacks subject to approval by the Board and the Administration. However, if a position is opened, it shall be opened to all persons affected by the RIF. Reasonable effort will be made to contact all parties involved. Such recall rights or opportunities are also based upon the same criteria and will be implemented in the reverse order of the RIF.
17. 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 RIF and for additional college coursework completed.

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Prior to commencing action to terminate certified employee contracts under these procedures, the Board of Trustees 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 to another position for which the individual is appropriately qualified; and
- d. Voluntary leaves of absence.

~~Provided that, however, no transfer shall result in the termination of another employee.~~

Guidelines  
Procedures

1. Upon its declaration of a financial emergency, the Board shall reopen the salary and benefits compensation aspects of the negotiated agreement, to include the length of the certificated employee contracts along with the amount of compensation and benefits.
2. The Board and the Lakeland Education Association ('LEA') shall meet and confer in good faith for the purpose of reaching an agreement.
3. If the parties to the negotiated agreement mutually agree, other matters contained within the negotiated agreement directly affecting the financial circumstances in the district may be discussed and negotiated.
4. Prior to commencing action to terminate certificated employee contracts under these procedures, the District Administration will determine what building(s), grade level(s), and/or subject matter(s) need to be reduced pursuant to this policy. The District Administration will make a list of the certificated employee's names, subjects, grade levels and buildings.
5. In the event a RIF is required, certificated employees, who are retained pursuant to this policy, may be reassigned if suitable position openings are available in instructional areas for which they are endorsed, ~~highly qualified~~ and for which the principal has approved the transfer pursuant to Idaho Code requirements.
6. In making a determination as to the individuals to be released pursuant to the RIF, consideration ~~(without priority)~~ will be given to the following criteria. Each criterion,

below, shall be considered in terms of the total context when selecting those employees who are to be considered for reduction. The following criteria will be considered:

- a. Evaluations
- b. Educational Certification and Credentials
- c. Student and/or School Activities
- d. Extracurricular Activities
- e. Extra-Duties
- f. Professional Contributions
- g. Longevity
- h. Tie Breaker Considerations

7. All ~~Reduction in Force (RIF) discussions forms~~ **position considerations for a RIF** will be jointly reviewed by the ~~take place between the~~ District Leadership team and the LEA Leadership team **prior to completing Policy 5740F.** ~~with the central focus remaining on what is best for students. RIFs will be jointly determined by District Leadership and LEA Leadership based on requirements for elementary and secondary certified employees necessary to provide for current staffing needs in the District.~~
8. **The Superintendent, Assistant Superintendent, the HR Director, and building administrators will determine the points received on Policy 5740F for the certificated employees considered for a RIF. Considerations start with the lowest points allocated for Category 2, Category 3, and all renewable certificated employees who scored Overall Basic or have a Basic classification in Domain 2 and/or Domain 3 on the prior and/or current year's Individualized Professional Learning Plan (IPLP).**
9. ~~If a RIF is required, The District Leadership team and LEA Leadership team will collaboratively work with the HR Director to simultaneously pool and identify score all 'Overall Basic' qualified IPLP contracted employees and all contracted employees scoring 'Overall Basic' within any given domain. Category 2, Category 3, and all renewable contracted employees who scored Overall Basic (in the prior and/or current year evaluation).~~
10. ~~Policy 5740F will be used to create a score based on the~~ will follow the point system outlined below. Necessary RIFs **RIF considerations** will begin from this pool, start with the lowest score.
11. ~~If more positions still need to be cut, In the event additional reductions are required, the District Leadership team and LEA Leadership team will collaboratively work with the HR Director to will pool and score all certified employees identify 'Proficient' qualified IPLP contracted employees who have a score of 'Basic' within any given component of their IPLP. with 3-10 years of experience in the Lakeland Joint School District. Necessary RIF considerations will start~~ be made from this pool next, beginning with the lowest score.
12. **If additional reductions are necessary,** ~~If more positions still need to be cut, then all remaining certified certificated employees will be identified and scored. placed in the pool and scored. Necessary RIF considerations will start~~ will be made from this pool lastly, beginning with the lowest score.
13. **The HR Director will provide a RIF notice and Policy 5740F to the certificated employee**

affected by the RIF, along with a copy of the RIF policy and procedures.

14. If the certificated employee selected for a RIF believes there is an error made on the scoring form, the certificated employee shall notify the HR Director of his/her concern, in writing, by the close of the 3rd work day after the RIF notice has been received. The certificated employee shall identify what element(s) is/are believed to be erroneous and explain why the element(s) is/are believed to be in error.
15. If the HR Director receives notice of possible errors, each written notice shall be reviewed for possible reconsideration or reevaluation of the information used to create the certificated employee score.
  - a. If the HR Director determines an error was made, then a new form will be created and forwarded to the certificated employee within five (5) work days from the date of submission.
  - b. If the HR Director determines that no error was made, then the certificated employee shall be notified of the determination within five (5) work days from the date of submission.
16. The certificated employee shall have three (3) work days to file written notice of an appeal of the HR Director's decision to the Superintendent. The Superintendent shall review the dispute and make a final decision on the issue of the appeal. The final decision is exempt from any Grievance Policy.
17. Certificated staff members not affected by a RIF may be reassigned and may have extra duty assignments removed with appropriate reductions of salaries from pre-existing salary levels.
18. Certificated employees who are affected by the implementation of a RIF will be promptly notified in writing of the Board's decision or actions that need to be taken by the Board relating to their right to a due process hearing.
19. Any certificated employee who loses a position as a result of the RIF shall be placed on a recall list for two years from the effective date of the RIF. When an opening occurs, Principals will use the score from the RIF Form to make priority callbacks subject to approval by the Board and the Administration. However, if a position is opened, it shall be opened to all persons affected by the RIF. Reasonable effort will be made to contact all parties involved. Such recall rights or opportunities are also based upon the same criteria and will be implemented in the reverse order of the RIF.
20. 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 RIF and for additional college coursework completed.
- ~~21. If an agreement cannot be made, the Board shall hold a due process hearing for all affected parties.~~
- ~~22. After the due process hearing, the Board shall provide its final offer to the LEA based on the scoring provided by the submission of Policy 5740F, Reduction in Force Forms.~~

~~The decision to institute a reduction in force and the selection of an employee or employees subject to such reduction shall be at the sole discretion of the board of trustees, except for the following limitation: The decision as to which employee or employees shall be subject to such reduction shall not be made solely on consideration of employee seniority or contract status. Prior to commencing action to terminate certified employee contracts under these procedures, the Board of Trustees will give due consideration to its ability to effectuate position elimination and/or reduction in staff by:~~

- ~~e. Voluntary retirements~~
- ~~f. Voluntary resignations~~
- ~~g. Transfer of existing staff members to another position for which the individual is appropriately qualified~~
- ~~h. Voluntary leaves of absence~~

~~Provided that, however, no transfer shall result in the termination of another employee.~~

~~STEPS:~~

- ~~1) Have HR request voluntary retirements, reassignment, transfers voluntary leaves~~
- ~~2) Declaration of financial emergency by the Board Idaho Code 33-522(2)  
—————Probably needs to occur no later than March to allow enough time for the notice, appeals, hearing and new contracts to be issued. You also want to give people plenty of time to make their decision  
—————For example, if you wanted to have the Board's decision by April 10, 2024, the hearing could occur no later than June 16, 2024~~
- ~~3) meet and confer with Union to try and resolve potential shortfall~~
- ~~4) rank, evaluate and group employees based on the scoring outlined in the procedure and the types of RIF that can occur (ie grade level, subject matter, category, programs)~~
- ~~5) HR sends letter to all potentially impacted employees,  
—————these individuals have an appeal right to the Board within 7 days of the notice letter~~
- ~~6) after all appeals have been considered the list of employees recommended for release is submitted by the Superintendent to the Board~~
- ~~7) Single due process hearing in accordance with Idaho Code 33-515(7)-IT CAN BE INFORMAL IF THE UNION AGREES TO IT  
—————open hearing, must take place within 6-14 days of the official notice by the Superintendent of the recommendation for release (Step 5)  
—————the hearing must occur within 67 days of the declaration of financial emergency or June 22 WHICHEVER IS EARLIER  
—————all the normal hearing procedure rules apply (must be recorded, right to have witnesses, submit briefs, etc.)~~

~~If a RIF is required after considering options available in Step #2 (above), the District Leadership team and LEA Leadership team will simultaneously pool and score all Category 2, Category 3, and all renewable contracted employees who scored Overall Basic (in the prior and/or current year evaluation). Scoring will follow the point system outlined below. Necessary RIFs will begin from this pool, starting with the lowest score.~~

~~If more positions still need to be cut after Step #3 (above) is conducted, the District Leadership and LEA Leadership team will pool and score all certified employees with 3-10 years of experience in the Lakeland Joint School District. Necessary Reductions in Force (RIF) will be made from this pool next, beginning with the lowest score.~~

~~If more positions still need to be cut, then all certified employees will be placed in the pool and scored. Necessary RIFs will be made from this pool lastly, beginning with the lowest score.~~

~~The Human Resources (HR) Director shall notify certified employees who may be affected by a RIF. Email notification via the employees District issued email is appropriate notice.~~

~~After receiving notice of the possible RIF, certified employees who believe there is an error shall notify the HR Director in writing by the end of the third business day after notification. This written notice shall specifically identify what criteria are believed to be erroneous.~~

~~The HR Director shall review each written notice for accuracy and review each case with the District Leadership and LEA Leadership team. Employees will have seven (7) calendar days from their original notification date to submit an appeal to the Board of Trustees.~~

~~After the aforementioned process is complete, the Superintendent shall submit a list of the certified employees~~

~~recommended for release to the Board of Trustees.~~

~~All releases shall be done in conformance with the applicable provisions of Idaho Code and all affected certified employees will be promptly notified in writing of the decision of the Board of Trustees.~~