Procedures for Reduction In Force

In General:

A decline in student enrollment, organizational restructuring, budgetary deficits, closing of a facility, termination of a special grant, or other conditions, as determined by the School Board, may result in a Reduction In Force (RIF). The application of this policy will be for the School Division as a whole and shall be based upon position, seniority, the performance of employees in affected areas, special skills, endorsement areas if applicable, and the special needs of the Division. The RIF plan shall be enforced in a fair and equitable manner, without regard to race, color, national origin, religion, sex, pregnancy, age, veteran status, or disability of the employee.

The Division Superintendent determines the program adjustments to be made and the reduction in force required.

I. Administrative/Supervisory Staff

A. When there is more than one individual in the same administrative classification in which a RIF must be made, the primary factors to be considered in making the determination shall be position, performance, special skills and the special needs of the Division. In those cases where no significant difference among individuals exists after a review of these factors, layoff shall be based on seniority as an administrator, the least senior being laid off first.

B. When an administrative/supervisory position is identified for RIF, the displaced manager will be informed by the immediate supervisor and notified in writing by the Department of Human Resources (DHR).

C. If another management position exists for which the displaced manager is qualified, the Superintendent may elect to reassign the manager to the position. If the Superintendent does not exercise this option, the displaced manager may apply for positions for which he/she is qualified.

D. A displaced manager on an annual contract, unable to secure another management position, will be placed by seniority on a confidential recall list maintained by DHR. Seniority, as defined in the recall section, shall refer to the length of continuous service with the School Division.
II. **Certificated Managers**

A. An administrator or professional who achieved continuing contract status as a teacher in PWCS or in any school in the Commonwealth prior to taking the administrative or supervisory position and who is recommended for reduction, shall also be considered for a teaching position in the program or area which he or she left, providing his or her certification is still valid.

B. If assigned to a teaching position, the displaced certificated manager will be placed on the teacher salary scale based on years of experience as a teacher and administrator, and degree. Contract status will be determined as appropriate.

III. **Recall of Administrative/Supervisory Staff**

A. Managers unable to secure another position will remain on the recall list for a period of one (1) year, after which time they shall have no recall rights. When determining the best fit for placing a recalled manager, consideration will be given to performance, special skills, and the needs of the School Division.

B. When an eligible manager is to be recalled, he/she will be notified by certified mail to his/her last known address on record with DHR. If the offer of reemployment is not accepted in writing within ten (10) calendar days of receipt of notice, rights of recall will be forfeited. If notice of recall is undeliverable, rights of recall will be forfeited. It shall be the responsibility of the employee to maintain an accurate address with DHR.

C. Upon return to employment, the manager will be placed in the appropriate grade and step as governed by regulation.

D. DHR will manage the recall procedure.

IV. **Instructional Staff (Teaching Personnel)**

A. Seniority as used in this section shall refer to the length of continuous employment as a certified employee with PWCS. With all other factors being equal, the date the employee signed the contract of employment since their last hire date with PWCS, shall determine seniority. If two or more teachers have the same seniority date, they will be rank ordered by the date on which the contract was signed; and, if needed, the date of receipt of the most recent application resulting in employment; and, finally, by lot. Teachers on approved leave will not be considered to have had a break in service.
B. The Superintendent shall determine the specific endorsement areas or instructional programs in which reductions are to be made and the extent of those reductions. The provisions of this section shall not apply in those cases where the employment of teachers whose special skills and/or active assignment is essential to the effective operation of the school program. The determination of essential personnel shall be at the sole discretion of the Superintendent.

C. Each teacher shall be placed on the seniority list for the endorsement area (as shown on the current teaching certificate issued by the State Department of Education) or instructional program in which he or she is actively assigned at such time as it may become necessary to implement reduction-in-force. Each teacher in the affected area or instructional program who is recommended for layoff from that area or program shall have the right to be considered in all programs or instructional areas for which endorsement requirements are fully met. In addition, a teacher who holds current endorsement in an area previously taught on a full time basis within the past five years will be placed on the seniority list for that endorsement area.

D. All temporary teachers will be identified for RIF before any full-time teachers in the affected areas.

E. A teacher identified for RIF will be informed by the immediate supervisor and notified in writing by DHR.

F. Continuing contract teachers who are affected by RIF shall be placed on a confidential recall list maintained by DHR for one (1) fiscal year, after which they shall have no recall rights.

G. Teachers under probationary contract shall have no recall rights but will be given consideration for reemployment at the discretion of the Division Superintendent or designee. Probationary teachers may apply for vacant positions for which they are qualified.

V. Recall of Instructional Staff (Teaching Personnel)

A. Eligible teachers will be recalled in descending order of seniority to fill vacancies for which they are endorsed and qualified. Recall of employees affected by RIF will be determined by Division needs, performance, position/classification and seniority.

B. Teachers on the recall list with proper application may be eligible for substitute teacher positions. Employment as a substitute teacher will not impede recall rights.
C. When an eligible teacher is recalled, he/she will be notified by certified mail sent to his/her last known address on record with DHR. If the offer of reemployment is not accepted in writing within ten (10) calendar days of receipt of notice, rights of recall will be forfeited. If notice of recall is undeliverable, rights of recall will be forfeited. It shall be the responsibility of the employee to maintain an accurate address with DHR.

D. Upon return to employment, teachers shall be placed in the appropriate grade and step as governed by Regulation.

E. DHR will manage the recall procedure.

VI. Classified Staff

A. This process applies to all regular classified employees who have completed their probationary periods. Seniority date as used in this section shall refer to the length of continuous classified employment with PWCS. Seniority will be determined by the employee’s first day of service since their last hire date. When identifying positions which are to be eliminated, the Superintendent may take into account the following considerations:

- The position(s) affected;
- Seniority;
- The special skills and/or assignment essential to the effective operation of the School Division;
- The performance of employees in affected classification(s).

B. In those cases where no significant difference among individuals exists after a review of these factors, layoff shall be based on the date of receipt of the most recent application resulting in employment; and, finally, by lot.

C. Probationary classified employees affected by RIF shall have no recall rights but will be given consideration for reemployment at the discretion of the Division Superintendent or designee. Affected classified employees may apply for vacant positions for which they are qualified.

D. When a classified position is identified for RIF the displaced employee will be informed by the immediate supervisor and notified in writing by DHR. Employees will receive two (2) weeks notice prior to the effective date of the RIF.
E. Eligible classified employees affected by RIF will be placed on a confidential recall list for a period of one (1) year after which time they shall have no recall rights.

VII. Recall of Classified Staff

A. Recall of classified employees affected by RIF will be determined by Division need, position/classification, performance and seniority.

B. When a classified employee is recalled, he/she will be notified by certified mail sent to the last known address on record with DHR. If the offer of employment is not accepted in writing within ten (10) calendar days of receipt of notice, rights of recall will be forfeited. If notice of recall is undeliverable, rights of recall will be forfeited. It shall be the responsibility of the employee to maintain an accurate address with DHR.

C. Upon return to employment, classified employees shall be placed in the appropriate grade and step as governed by Regulation.

D. DHR will manage the recall procedure.

The Associate Superintendent for Human Resources (or designee) will be responsible for implementing and monitoring this regulation.

The Associate Superintendent for Human Resources (or designee) shall be responsible for reviewing this regulation in 2015.