

# HAMPTON TOWNSHIP SCHOOL DISTRICT

SECTION: PROFESSIONAL EMPLOYEES

TITLE: SUSPENSIONS AND  
FURLOUGHS

ADOPTED: April 28, 2004

REVISED:

411. SUSPENSIONS AND FURLOUGHS	
1. Purpose	Maintenance of professional staff appropriate to effectively continue the district's educational program is a Board responsibility. The purpose of this policy is to establish the manner in which the necessary reductions of that staff shall be accomplished.
2. Authority SC 524, 1124, 1125.1	Consistent with law and the collective bargaining agreement, the Board has the authority and responsibility to determine when suspensions and furloughs shall be made.
3. Delegation of Responsibility SC 1125.1	<p>The Superintendent or designee shall develop administrative procedures for reduction of staff in accordance with this policy and applicable law.</p> <p>The efficiency and effectiveness of district organization and staffing patterns shall be under continuing review, and recommendations for abolishing positions and reallocating duties shall be presented for Board consideration when the Superintendent considers such actions to be in the best interests of the district.</p>
4. Guidelines SC 1123 Pol. 412, 413	Data necessary for the computation of each professional staff member's rating shall comply with state requirements, and his/her seniority status shall be recorded and maintained.
SC 1124, 1125.1	Professional employees shall be suspended for causes consistent with law in inverse order of seniority within the district.
SC 1125.1	The district shall realign its professional staff to ensure that more senior employees are provided with the opportunity to fill positions for which they are certified and which are being filled by less senior employees. Such realignment, however, will not be construed to require curriculum changes or department revisions.
SC 1125.1 2 Pa. C.S.A. Sec. 551 et seq	Tenured professional employees have the right to a Local Agency Law hearing, and the decision to suspend shall be considered an adjudication for the purposes of that hearing.

2 Pa. C.S.A.  
Sec. 551 et seq

Temporary professional employees are entitled to a Local Agency Law hearing at the request of the employee prior to suspension or furlough.

A collective bargaining agreement may provide suspension procedures that differ from this policy. In the event that such a condition exists, procedures must be adapted to the provisions of the collective bargaining agreement for bargaining unit personnel.

Determination of Seniority

**Seniority** shall mean the relative status of a professional employee with respect to the total length of service with the district from the first day of compensable service as a temporary professional or professional employee since the last break in seniority or employment, regardless of the professional assignment as a certificated employee.

Seniority may continue to accrue during official suspensions and furloughs and Board approved leaves of absence.

An employee who works more than the normal school year shall not accumulate more seniority than the employee who works the normal school year.

For part-time employees, seniority shall be computed on a pro-rata basis determined by the proportion of full-time duties performed.

If two (2) or more employees have the same first day of compensable status since the initial employment or last break in service, their order on the seniority list shall be determined by:

1. The amount of time served as a permanent substitute in the district without a break in service immediately prior to being appointed a temporary professional employee.
2. The amount of time served on a professional employee contract in other Pennsylvania public school district(s).
3. A lottery, the drawing being conducted by the Superintendent. The President of the bargaining unit and the employees who are tied for a determination of seniority shall be given the opportunity to be present.

Seniority may be broken by any of the following:

1. Resignation or retirement.

<p>SC 1125.1</p>	<p>2. Discharge or termination.</p> <p>3. Failure of a suspended employee to report annually, on the anniversary of their notice of suspension, to the Board in writing, the employee's current address and intent to accept the same or similar position when offered.</p> <p>4. Failure of the suspended employee to report for work within ten (10) calendar days of being notified of a recall in writing by certified mail, except if the suspended employee submits proof to the Board that the employee is enrolled in a college program, in which case that employee shall have the option of delaying returning to work until the end of that current college semester.</p> <p>The Superintendent shall develop a seniority list in accordance with the provisions of this policy. The list will annually be posted in each school building by November 1<sup>st</sup>.</p> <p>Employees shall have a period of twenty (20) calendar days in which to challenge the posted seniority list. The challenge shall be made in writing to the Superintendent, stating in detail the reasons for the challenge. Seniority status that is not challenged within twenty (20) calendar days of the posting may not be challenged thereafter.</p> <p>Challenges which remain unresolved after meetings between the challenger and the Superintendent shall be submitted to a committee of three (3) members of the association and three (3) members of the administration. A recommendation to resolve the challenge will be prepared for submission to the Board for a determination. A suspension shall not take place while a challenge is in process and before a decision is rendered by the Board.</p>
<p>SC 1125.1</p>	<p>Suspended professional employees shall be reinstated on the basis of seniority within the district and in accordance with their certification.</p> <p>This policy pertains only to professional employees defined by School Code. Should staff reduction be necessary, permanent substitutes and temporary professional employees, in that order, may be terminated, not suspended.</p>