Clark County School District No. 161

PERSONNEL **5740P**

Reduction in Force Procedures

The following definition and procedures shall be used for conducting a Reduction in Force.

Definition

As used in this policy, "teacher" shall apply to any employee of the District who holds a certificate issued by the State Board of Education who is employed in a teaching or administrative position, below the rank of Superintendent.

Procedures

1. Prior to commencing action to terminate teacher 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
    d. Voluntary leaves of absence

2. In the event a Reduction in Force is required, teachers who are retained pursuant to these procedures may be reassigned if suitable position openings are available in instructional areas for which they are Highly Qualified and for which the principal has approved transfer pursuant to Idaho Code.

3. In the Board's determination as to the individuals to be released pursuant to the Reduction in Force consideration will be given to the criteria set out below. Each criterion shall be considered in terms of the total context when selecting those employees who are to be considered for release pursuant to the provisions of these procedures. The following criteria will be considered:

    a. Area(s) of certification for which the teacher is Highly Qualified which are classified by the District as Hard to Fill positions
    b. Number of areas of certification for which the teacher is Highly Qualified
    c. Educational/Degree Status
    d. National Certifications Held
    e. Position as a Lead or Master Teacher within the District
    f. Whether or not the teacher is Highly Qualified in a course necessary for High School Graduation requirements

g. Whether or not the teacher is Highly Qualified in a course necessary for middle school advancement
h. Contribution and/or involvement in extra-curricular or co-curricular positions with students
i. Compliance with Professional Standards and Conduct over the course of employment with the District
j. Teacher evaluation, including components required by Idaho Code to be encompassed in teacher evaluation

It is the intent of the Board that the individual and cumulative effect of each criterion on the welfare of students and the best long-term and short-term interest of the District be considered.

It is further the intent of the Board that primary consideration be the quality of instruction and the progress that students are making throughout the course of the school year as well as properly endorsed Highly Qualified instructors to be in classroom positions in order for the District to be compliant with federal and state education requirements. Thus, each criterion shall be considered in terms of this total context.

The factors for consideration shall be reviewed on an annual basis by the District's Administration to determine whether factors should be added, eliminated, or weighted differently. Such recommendations for modification will then be brought before the Board for consideration.

4. The Human Resources Department shall advance notice of the possible Reduction in Force to all teachers who may be released, based upon the number of teachers who may be released, in full or in part, and the school programs, teacher positions, or categories of positions that may be affected.

5. Upon receipt of this notification, it is recommended that the subject teachers review their personnel file materials with the District's Administrative Office to assure that the school has appropriate information relating to the various criteria referenced above.

    a. If a teacher receiving a Teacher Profile believes that there is an error, the teacher shall notify the District's Administrative Office of their concern of an error, in writing, by the close of the school day on the fifth school day after the teacher has received notice of the possible Reduction in Force.
    b. This written notice shall specifically identify what element or elements of the teacher's personnel file and criteria are believed to be erroneous and explain specifically why the element(s) is believed to be in error.
    c. If the District receives notice of possible error, each such written notice, timely received, shall be individually reviewed for possible reconsideration or evaluation of the information used in consideration of the Reduction in Force.
    d. Should a teacher fail to inspect their personnel file and have inaccurate information in their personnel file and/or have failed to provide the District with

updated information, the information contained in the file will be utilized for the Reduction in Force determination and the teacher will not have the opportunity to subsequently correct such information after the Reduction in Force has been implemented.

6. If the Board determines that a Reduction in Force in fact will be implemented, the Superintendent shall submit a list of the teachers recommended for release, through use of the above process, and shall make recommendation to the Board as to what due process, if any, the Board needs to implement for each individual personnel situation.

7. All releases shall be done in conformance with the applicable provisions of Idaho Code and all affected teachers will be promptly notified, in writing, of the Board's decision or actions that need to be taken by the Board relating to applicable due process activities, if any.

Legal Reference:
§ I.C. 33-514 Issuance of Annual Contracts
§ I.C. 33-515 Issuance of Renewable Contracts
§ I.C. 33-522 Reductions in Force
§ I.C. 33-523 Principals to Determine New Staffing

Policy History:
Adopted on: 05/13/2013
Revised on: