

REDUCTION IN FORCE PROCEDURE

I. Procedures

- A. When the Board of Education determines that a reduction in the number of teachers must be made, the following provisions shall serve as guidelines to the superintendent of schools in making any recommendations concerning unrequested leaves of absence for certificated staff.
 - 1. The superintendent of schools shall first consider and determine the appropriateness of reducing staff through elimination of positions which occurred through attrition (e.g., resignation, retirement).
 - 2. The superintendent of schools will notify staff of employment decisions in a timely manner. When feasible, the notification will be made prior to the time of the yearly contract renewal.

- B. Such reduction will be made in keeping with the following guidelines:
 - 1. The positions will be the determining factor for what will be eliminated and not the teachers who occupy those positions.
 - 2. No permanent teacher shall be placed on leave of absence while probationary teachers are retained in positions for which a permanent teacher is qualified. (168.124(1)) If the reduction in force is necessary after issuance of contracts to probationary teachers (see *Frimel vs. Humphrey*, 555 S.W. 2d 350 Mo. App. W.D. 1977), then such reduction in force shall be effected by following the procedures set forth herein. However, the re-employment of, or refusal to, re-employ probationary teachers shall be made at the sole and absolute discretion of the Board, and shall not be covered by this reduction in force policy.
 - 3. Permanent teachers holding eliminated positions will be placed in another teaching position in which they are qualified provided that the positions for which they are qualified are vacant or occupied by a probationary teacher. To be qualified means that a teacher is certificated to teach in the position.

If a teacher is assigned to a teaching position for which she/he is certificated but has not taught, within the last five years, the teacher will complete a program of staff development to update the teacher's skills in that area. The specific staff development program would be jointly developed and agreed upon by the teacher, the Assistant Superintendent of Human Resources, and the building principal. Any tuition cost for classes, cost of materials, mileage and registration fees for workshops will be reimbursed by the district.

- C. Permanent teachers shall be retained on the basis of performance-based evaluations and seniority within the field of specialization. The RIF Evaluation will constitute 55% of the total score and seniority will constitute 45% of the total score. Permanent teachers with the lowest number of points shall be placed on unrequested leave of absence.

District Code:

- D. The RIF procedure (which includes the RIF Performance-Based Teacher Evaluation and the calculation of points accrued from the RIF Performance-Based Teacher Evaluation and seniority) will only be activated for teachers within areas of specialization which require reduction in force due to declining pupil or course enrollment, school district reorganization or the financial condition of the school district. This means that the RIF procedure will be applied selectively to areas of specialization only when it is needed. The RIF procedure will not be conducted routinely for all staff and running tallies of total points for certificated staff will not be generated.

II. Notification and Recall

- A. An unrequested leave of absence shall continue for not more than three (3) years unless extended by the Board. Permanent teachers shall be recalled according to the rank order listing.

Each year the teacher is on an unrequested leave of absence and wishes to return for the following year, he/she must notify in writing the Human Resource Center not later than March 15 of intent to be considered for a contract for the following year.

- B. A teacher on the reduction in force leave shall have the responsibility to keep the Human Resource Center notified of current address, vacation address, telephone number, or other prompt means of contact. The School District shall attempt to notify any permanent teacher on unrequested leave of absence of an open Pattonville position for which said teacher is certificated and qualified by training and experience. Such attempted notification shall first be by telephone, and if unsuccessful, by certified or registered mail. The permanent teacher to whom such notification has been made by telephone shall have five (5) calendar days after such receipt of notification to accept such position. Failure to notify the Human Resource Center, or designee, shall constitute forfeiture by the permanent teacher of his/her right to that position, but such permanent teacher shall maintain his/her place on the rank list for the balance of the leave period.

In the event that the Human Resource Center has been unable to notify the teacher by telephone, a letter shall be sent by certified or registered mail to the current address previously provided to the Human Resource Center. The permanent teacher to whom such notification has been directed shall have five (5) calendar days after the date of such letter, to accept the open position. Failure to notify the Human Resource Center, or designee, shall constitute forfeiture by the permanent teacher of his/her right to that position, but such permanent teacher shall maintain his/her place on the rank order list for the balance of the leave period.

- C. Teachers notified that their position is in jeopardy shall be given a copy of the reduction in force policy and procedures. At that time, teachers are encouraged to review their personnel records for accuracy.
- D. Any teacher on leave of absence through reduction in force shall receive no insurance benefits at Board of Education expense, but may elect to continue insurance benefits per Board policy by paying the premium contingent upon approval by the respective insurance companies and for a specific length of time as defined by statute. (Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA).)

District Code:

III. State Statutes

- A. In determining the professional competency of or efficiency of a permanent teacher, consideration should be given to regular and special evaluation reports prepared in accordance with the policy of the employing school district, and to any written standards of performance which may have been adopted by the School Board. 168.114(2)
- B. Teacher records - How Maintained. The Board of Education of each school district shall maintain records showing periods of service, dates of appointment, and other necessary information for the enforcement of section 168.102 to 168.130. If rating devices are used, a copy of any record thereof shall be given to the teacher concerned. One (1) copy thereof shall be sent to the Central Office of the Board of Education, and one copy shall be retained by the principal in his/her office. (168.128) (Note: Policy B528)
- C. No permanent teacher shall be placed on leave of absence while probationary teachers are retained in positions for which a permanent teacher is qualified. (168.124(1))
- D. Permanent teachers shall be retained on the basis of performance-based evaluations and seniority (however, seniority shall not be controlling) within the field of specialization. (168.124(2))
- E. Permanent teachers shall be reinstated to the positions from which they have been given leaves of absence, or, if not available, to positions requiring like training and experience, or to other positions in the school system for which they are qualified by training and experience. (168.124(3))
- F. No appointment of new teachers shall be made while there are available permanent teachers on unrequested leave of absence who are properly qualified to fill such vacancies. (168.124(4))
- G. The leave of absence shall continue for a period of not more than three (3) years, unless extended by the Board. (168.124(7))

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