

Note: This document contains considerations, elements, and processes that may or may not be incorporated into proposed revisions to the Division's Reduction in Force (RIF) policy. It is meant to provide a starting point for policy revisions to be informed by teachers, administrators, and legal counsel in the coming weeks, provided the Board agrees that revisions should be proposed.

Reduction in Force Policy Revision: Concept Proposal

Division staff reviewed Reduction in Force (RIF) policies in Alexandria, Augusta, Charlottesville, Clark, Fairfax, Fluvanna, Loudoun, Madison, Nelson, Roanoke, Stafford, and Virginia Beach, among others. The following trends were identified:

- Most school divisions in our adopted market have made changes to their RIF policies for professional and support personnel in the past year.
- ACPS appears to have the least recent revision date for GCPA of all localities researched.
- Many of these school divisions made changes to their RIF policies while also in the process of an active reduction in force.
- As RIF policies were changed, they moved from being strictly seniority-based to including seniority as one factor among many factors, which also included performance evaluation, total contribution to a school/division, endorsement areas, education level and certification.
- All reviewed RIF policies had some provision to allow at least a portion of employees to be exempted from seniority-based decision-making, either by superintendent discretion, program area/difficulty to replace, or other factors.

Basic Procedure

- Superintendent develops a RIF strategy that targets reductions in programs, positions, endorsement areas, subjects, grade bands (K-3, 4-5, 6-8, 9-12), etc. (For instance, the Superintendent may decide that middle school strings needs to be reduced or eliminated, or that the division needs to reduce the overall teaching workforce by 100 positions.)
- Superintendent then directs principals to make specific reductions at their schools in accordance with the RIF strategy (for example: X school must RIF 5 FTEs).
- Principals develop school RIF plans. Superintendent/designee must review and approve school RIF plans.

- Superintendent submits the proposed, division-wide RIF actions and supporting data to the School Board in closed session. School Board must approve the RIF actions.

“Bumping” vs. Recall

- In keeping with a number of other divisions’ practices, true “bumping” would be eliminated. In a true “bumping” scenario, if an employee gets reduced, he/she might be eligible to displace another employee in an active position.
- Reduced employees would, instead, have an opportunity to be placed on a division-wide *recall* list for 1 year and be considered for any *vacant* positions for which he/she is qualified.
 - o There would be no guarantee of being selected for the vacant position.
 - o Priority *could* be given to reduced employees based on seniority or some other factor.
 - o Reduced employees might experience a complete break in employment. For instance, upon being reduced effective at the end of the 2009-10 school year, the RIF’ed employee may be given a contract in a new position starting in 2010-11 and experience no actual break in employment. However, if the vacancy opens after the start of the school year, he/she would be unemployed for a time.

Criteria for Determining RIFs

In general, RIF decisions would be made using the multiple factors outlined in policy. The factors could be un-weighted, weighted individually, or grouped into tiers. Decisions would be made at the principal level, subject to Superintendent approval, based on the overall needs and interests of the school. Specific criteria would include:

- o *Endorsement areas and multiple endorsements* – endorsements would be evaluated for necessity and relevance to the particular school. Experience teaching in the endorsement area(s) would also be relevant. Endorsement areas that are hard to staff would be relevant.
- o *Plan of assistance and any discipline documented in the HR personnel file* – these would be reviewed in light of the employee’s overall work history.
- o *Seniority* – this would include whether or not the employee has achieved continuing contract status.

- o *Educational certifications* – relevant certification from a credible, non-division organization (i.e. national board certification).
- o *Contribution to the school's curricular and extracurricular program* – examples might be coaching and sponsorship of student organizations.
- o *Special skills and training* – would need to be necessary and relevant to the particular school (i.e. secondary languages, technology skills).
- o *Enrollment history in elective offerings* – this would need to be consistent with the Superintendent's programming and priorities for the division.
- o *Exceptions* – the Board, on Superintendent recommendation, could make an exception for staff whose special skills or active assignments are truly "essential" to the operation of the division.

Treatment of Teachers vs. Licensed Administrators/Supervisors

- RIF procedures would operate in basically the same way for teachers and licensed administrators/supervisors (i.e. principals, assistant principals, and other administrators required to have a license).
- Licensed administrators would, however, be entitled to be placed on a recall list for teachers. They would also have all years as an administrator and teacher credited for purposes of determining RIF rank order.

Reopen VERIP Application Window

Given the possibility of RIFs for licensed personnel and layoffs for classified personnel, staff recommends reopening the VERIP application window until March 31, 2010.

Targeted Incentives

In an effort to address the budget shortfall, which requires a reduction in workforce, a targeted incentive is proposed to offer options for employees in certain positions who wish to retire. By offering targeted incentives, the need to involuntarily terminate employees may be reduced or eliminated. The incentives might include lump sum payments equivalent to some fraction of current salary, additional weeks of pay based on years of service, or extended continuation of Board medical contribution.

Classified Separation Pay

Separation pay for staff in classified positions targeted for elimination is proposed. Pay could be paid at the time of RIF. Separation pay could be calculated based on years of service.