

REDUCTION IN LICENSED STAFF

A decrease in enrollment, a budget reduction or adjustment, a consolidation of schools, the phasing out of programs, departments or grade levels and other conditions may cause a reduction in the number of staff needed in a building, program, or department, or in the entire school division.

Regulations have been developed to provide for a general reduction in total personnel and for a redistribution of personnel within designated programs.

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REDUCTION IN LICENSED STAFF PROCEDURE

If a reduction of staff is necessary, such reductions shall occur under the guidelines outlined below:

I. DEFINITIONS

A. Endorsement: A teaching endorsement shown on a valid, current teaching license issued by the Virginia Board of Education.

B. Licensed Administrator: A principal, assistant principal or supervisor (as defined by 8 VAC 20-440-10) who is: (1) required by the Virginia Board of Education to hold a license; and (2) paid on the administrative/classified pay scale. For the sole purpose of implementing this policy, teachers who report directly to central office shall be **treated as though they are** licensed administrators.

C. Seniority – Qualifying Service:

1. Continuous Service: Total years of service in the most recent term of continuous service as a teacher or licensed administrator in the division.
2. Non-Continuous Service: Total years of service, other than Continuous Service, as a teacher and licensed administrator in the division.
3. Virginia Service: Total years of service, other than Continuous and Non-Continuous Service, as a teacher and licensed administrator in any accredited public or private school in the Commonwealth of Virginia.
4. U.S. Service: Total years of service, other than Continuous, Non-Continuous, and Virginia Service, as a teacher and licensed administrator in any accredited public or private school in the United States of America or any U.S. affiliated school outside the United States.

Seniority is described fully in Section III.A.1.

D. Small School: A division school with an average daily membership generally of less than 300 students.

E. Teacher: An employee who is: (1) regularly employed as a teacher, visiting teacher/school social worker, guidance counselor, school psychologist, or librarian; and (2) holds a valid teaching license from the Virginia Board of Education.

II. PROCEDURE FOR REDUCTION

A. Superintendent's Reduction Strategy

1. The Superintendent shall create a division-wide reduction-in-force strategy ("Reduction Strategy") which seeks to maximize the division's ability to meet the Board's vision, mission, and goals within budgetary restraints.
2. The Reduction Strategy will be based on reductions in positions, programs, endorsements, services, courses, and/or other appropriate areas.
3. The Reduction Strategy will provide guidance to each school regarding the nature and scope of the needed reductions.
4. If applicable, guidance for licensed administrator reductions will be included in the Reduction Strategy for development by the Superintendent's designee.

B. Principals' Reduction Plans

1. Principals shall develop reduction-in-force implementation plans ("Reduction Plans") for their schools in accordance with the Reduction Strategy and the requirements of Section III of this policy. Principals of small schools will be matched with other small school principals for the purpose of developing a single Reduction Plan for their schools.
2. Each plan must contain:
 - a. In rank order, the names and positions of the employees proposed to be reduced and an explanation of how those employees were identified in accordance with the criteria for reduction established in Section III of this policy; and
 - b. A reduction criteria form for each employee that has been considered for reduction, even if not proposed for reduction; and
 - c. A reduction criteria form for each probationary teacher in the school, whether or not the teacher is proposed for reduction.
3. The Superintendent/Designee shall review each Reduction Plan for compliance with the Reduction Strategy and this policy. The Superintendent/Designee may require principals to modify Reduction Plans in order to conform to the Reduction Strategy or this policy.

C. Superintendent's Division Reduction Plan

1. The Superintendent shall develop a written division reduction-in-force plan ("Division Reduction Plan") that takes into consideration the need for equitable treatment of employees across the division, as well as the needs of each school.
2. The Division Reduction Plan must explain the proposed reductions for each school and any licensed administrator reductions.
3. The Division Reduction Plan may propose to exempt from reduction up to 1% of the current teacher personnel whose active assignments and/or special skills are essential to the effective operation of the division, subject to the following additional conditions:
 - a. The Superintendent may propose to exempt more than 1% of the current teacher personnel upon a showing of extraordinary need.
 - b. No teacher may be exempted from reduction for more than two (2) consecutive years.
 - c. The Board retains the exclusive right to approve, modify, or disapprove any proposed exemptions, including any proposal to exceed the 1% cap.
4. The Superintendent shall submit the Division Reduction Plan to the School Board for its review. The School Board retains the right at all times to approve, modify, or disapprove the Division Reduction Plan. Upon approval by the School Board, the Superintendent shall implement the Division Reduction Plan in accordance with this policy.
5. In accordance with Virginia Code §§22.1-304 and 22.1-305, the Superintendent/Designee shall notify all employees who will be reduced as soon as possible, but no later than two weeks following the approval of the School Board's budget by the Albemarle County Board of Supervisors or June 1, whichever is earlier.

D. Conferences with Employees Recommended for Reduction

1. Principals shall meet with any employee to discuss their recommendation to reduce that employee. Such conferences must be held as soon as practicable after the recommendation is developed.
2. The Superintendent/Designee shall meet with any employee, upon request, to discuss a principal's recommendation to reduce that employee, provided that a conference between the employee and principal has been held. Superintendent/Designee conferences must be conducted as soon as practicable.
3. Nothing in this section shall be construed to create any right or obligation other than the obligation to hold conferences as explained above.

III. CRITERIA FOR TEACHER AND LICENSED ADMINISTRATOR REDUCTION

In developing Reduction Plans for Superintendent review, principals shall determine which teachers will be reduced based on the criteria for Tiers One and Two as described below. The Superintendent's designee shall determine which licensed administrators will be reduced based on the same criteria. Guidelines for applying these criteria are provided in Section III.C below.

A. Tier One Criteria

1. Seniority. For full-time service, seniority shall be measured as a numerical sum ("Seniority Score") calculated by first multiplying the number of full-time years of service an employee has for each kind of qualifying service by the number stated in the "multiplier" column below, then adding each product.

<u>Kind of Qualifying Service</u>	<u>Multiplier</u>
<u>Continuous Service</u>	<u>4</u>
<u>Non-Continuous Service</u>	<u>3</u>
<u>Virginia Service</u>	<u>2</u>
<u>U.S. Service</u>	<u>1</u>

Example: A teacher with 3 years of Continuous Service, 10 years of Non-Continuous Service, and 1 year of Virginia service would have a Seniority Score of 44 (12 + 30 +2).

- a. Seniority Calculation for Full-Time Employment. Years of service are calculated as follows:

- i. Each complete school year of service shall be counted as one (1) year. Approved leaves of absence shall not cause a break in continuous service and shall be counted for purposes of determining years of service.
- ii. If the effective date of the employee's contract falls before December 31 in a given year, one (1) full year of service shall be credited to the employee for purposes of measuring years of service. If the effective date of the employee's contract is after December 31, one half of a year shall be credited to the employee.
- iii. All employees will be deemed to have one (1) year of continuous service for the current school year during which the Reduction Plans are developed. Example: for RIF Plans developed in February, 2011, all employees would receive one year of Continuous Service for the 2010-2011 school year.
- b. Seniority Calculation for Part-Time Employment. Current full-time employees shall have any previous years of part-time employment with the division credited for seniority in the following manner: each year of part-time employment in the division, whether continous or non-

continuous, shall be given one (1) seniority point. Current part-time employees shall not receive seniority points for either current or prior part-time employment.

2. Endorsements. Endorsements, as defined in Section I.A, will be evaluated in light of their necessity and value to the school. Relevant factors include, but are not limited to:
 - a. Experience teaching in the endorsement area;
 - b. Endorsement in areas that are difficult to staff; and
 - c. Multiple endorsements that are necessary and valuable to the school.
3. Plan of Assistance. A current, active plan of assistance shall be given significant weight in favor of reduction. However, the following factors shall be considered in each case and may, based on the facts, be sufficient to overcome a recommendation for reduction:
 - a. The employee's work history before being placed on the current plan, including placement on any prior plans;
 - b. The nature and severity of the performance concerns identified in the plan; and
 - c. The degree to which the employee has succeeded in meeting the goals of the plan.

B. Tier Two Criteria

1. Special Skills and Training. "Special skills and training" are educationally valuable, objectively measureable accomplishments beyond the normal skills and training required for employee performance. In most cases, these should already be documented in the employee's personnel file. All special skills and training will be evaluated in light of their necessity and value to the school. Representative examples include, but are not limited to:
 - a. Secondary language proficiency relevant to a school's student population and/or the division's curriculum;
 - b. Technological training or skills;
 - c. Mediation training;
 - d. Mandt training; and
 - e. Other experience/training working with specific student groups (e.g., at-risk students, advanced placement, etc.).
2. Educational Certifications and Honors. "Educational certifications and honors" are those certifications, honors and awards issued by national or state educational organizations for specific achievements. These will be evaluated in light of their necessity and value to the school. Representative examples include, but are not limited to:

- a. National Board Certification;
 - b. Recognition as State/National Teacher of the Year;
 - c. National Teacher Training Institute Certification;
 - d. Virginia NETS*T Certification;
 - e. National Association of Science Teachers Fellowship; and
 - f. Satisfaction of state requirement to teach dual-enrollment courses.
3. Contributions to Curricular and Extracurricular Programs. “Contributions to curricular and extracurricular programs” are educationally valuable, objectively measureable services given by an employee beyond those minimally required for the job, even though they may be performed during contract hours, such as serving in student organizations and athletics and engaging in leadership activities in the school or school parent/community organizations. These will be evaluated in light of their necessity and value to the school.
4. Enrollment History in Elective Courses. Enrollment history for the past three school years will be evaluated if a reduction is being considered in elective courses or in positions which are primarily responsible for elective instruction.

C. Guidelines for Applying Reduction Criteria

- 1. Forms. Principals shall use standardized forms developed by the Superintendent/Designee for use in applying the reduction criteria. A form for each employee that has been considered for reduction, even if not proposed for reduction, shall be attached to the Reduction Plan.
- 2. Tier One Weight. Tier One criteria shall generally be given greater weight than Tier Two criteria. In order to propose the reduction of an employee with strong Tier One criteria over an employee with weaker Tier One criteria, principals must articulate convincing, fact-based reasons for the decision in their Reduction Plans.
- 3. Ties. Should the tier-based assessment of two or more employees yield identical or substantially identical results, principals shall reduce the employee with the lower Seniority Score.

IV. REASSIGNMENT AND RECALL

A. Reassignment

- 1. Employees who are proposed to be reduced shall be reassigned to vacant positions within the division for which they are qualified based on their recent experience,

endorsements and education, among other factors. The Superintendent/Designee shall make reassignment decisions in a manner that seeks to maximize the division's ability to meet the Board's vision, mission, and goals within budgetary restraints. Declining an assignment to a vacant position for which the employee is qualified shall remove the employee from consideration for any further reassignment.

2. Employees who are reassigned to vacant positions shall be credited with all years of division service as a teacher and licensed administrator.

B. Recall

1. Teachers and licensed administrators who have been reduced pursuant to this policy shall be placed on a division-wide recall list for teachers for a period of one (1) school year following the employee's separation (end of contract period).
2. Reduced employees placed on the recall list shall be notified, in writing, regarding open positions for which they may be qualified. In order to be considered for re-employment, reduced employees must respond within the requested timeframe, usually no less than fifteen (15) calendar days, affirming their interest in the particular position. Declining an offer to be considered for re-employment in a position or failing to respond within the requested timeframe shall result in the reduced employee's removal from the recall list.
3. Selection of reduced employees on the recall list shall be based on the Tier One and Tier Two reduction criteria described in Section III. The division will not offer any vacant teaching position to external candidates unless it has exhausted the pool of interested individuals on the recall list who are qualified for the position based on their recent experience, endorsements and education, among other factors.

I. Definitions

~~A. Teachers/Licensed Administrators—Those persons who hold positions for which licensure is required such as teachers, assistant principals or principals as defined by the State Board of Education under its rules and regulations.~~

~~B. Seniority—Will be based on, in order of priority:~~

- ~~1. Total length of continuous service as a teacher of licensed administrator with Albemarle County Public Schools. Seniority shall be system wide and shall date from the effective date of employment. While time off for approved leaves of absences shall not count for seniority purposes, such leaves shall not be considered as an interruption of continuous service;~~

- ~~2. Total length of accumulated service as a teacher, assistant principal or~~

~~principal with Albemarle County Public Schools;~~

~~3. Total years of service as a teacher, assistant principal or principal in the Commonwealth of Virginia; and,~~

~~4. Total years of service as a teacher, assistant principal or principal in a U.S. affiliated school.~~

~~C. Contract Status Type of contract held, ie., probationary or continuing.~~

~~D. Endorsements Specific areas listed on a teaching license that authorize a person to teach specific subjects or grade levels in Virginia public schools.~~

~~E. Salary classification Classifications approved by the School Board from which an employee's salary is derived.~~

~~H. Order of Reduction~~

~~Reductions will occur in endorsement areas based on seniority within contract status. In the event of equal seniority, the administration shall decide who will be reduced. The contract status as of the date reduction is to be effective shall prevail. Continuing contract employees will be the last to be reduced. Probationary contract employees will be the first to be reduced.~~

~~III. Procedures for Reduction~~

~~A. Under the direction of the Albemarle County School Board, the Superintendent shall determine areas which must be reduced. In accordance with state statutory notice requirements, the Superintendent shall inform those teachers, assistant principals or principals who may be affected of the recommended reduction and of the reasons for such reduction.~~

~~B. An employee who is reduced will be assigned to a vacancy within his areas of endorsement. The reduced employee must have successfully completed six (6) semester hours or six continuing education units or a combination thereof of approved courses in the endorsement area he is assigned to within the past five (5) years, or the employee must have taught for one (1) year within the last five (5) years in the endorsement area to which he is assigned. If a reduced employee is identified as needing to complete six (6) semester hours or six (6) continuing education units or a combination thereof, these courses must be completed prior to assuming the new position.~~

~~C. An employee who is reduced and not assigned to a vacancy will be assigned to a position held by the employee with the least seniority within his/her endorsement area.~~

- ~~D. The displacing employee shall be in the same or higher adopted salary classification as the employee to be displaced.~~
- ~~1. Salary classifications shall be ranked by the amount of salary for minimum years of experience in the classifications in question.~~
 - ~~2. All employees in an individual teacher salary classification, whether 10-, 11-, or 12-month employees shall be considered to be in a single classification, with years of experience as the only variable.~~
- ~~E. When an employee is reduced into a lower salary classification, he/she will be credited with all of his/her previous Albemarle County Public School experience in the assigned classification, including previous Albemarle County Public School experience in a higher salary classification.~~
- ~~F. Continuing contract employees who are reduced and cannot qualify for an existing vacancy based on seniority and certification will be placed on the list of eligible substitutes and subject to call at the discretion of the particular principal or his/her designee. Hospitalization and life insurance participation will be made available to a reduced employee during the recall period providing he pays the full cost of such insurance. When any position becomes available for which a reduced employee qualifies, he/she will be offered the assignment.~~
- ~~G. When there is no remaining assignment available for a reduced employee, he/she may be released from employment in accordance with state statutory requirements. Such personnel will be the first recalled under the following section of this procedure and shall have the same rights upon reemployment as if they had been granted an unpaid leave.~~
- ~~H. Division level licensed staff will be reduced in accordance with the procedures outlined above and may, by seniority, displace other division level staff in the same or lower classifications provided appropriate endorsement for these positions is held.~~

~~IV. Recall~~

- ~~A. Continuing contract employees released under the above provision shall be listed in order of seniority within contract status and endorsement areas and shall be the first to be rehired during the recall period as openings occur within their endorsement areas. Employees with the most seniority within contract status shall be the first to be recalled.~~
- ~~B. A recall period shall exist for one (1) school year after the effective date of an employee's release under the procedures contained herein. The Albemarle County School Board shall not fill any professional opening until all properly endorsed continuing contract personnel released under these procedures have been provided~~

~~with the opportunity to fill the available position through a notice of recall.~~

~~C. Failure to respond to the notice of recall within fifteen (15) calendar days of receipt of notice of recall shall constitute rejection of the offer to return to the employment with Albemarle County Public Schools. The fifteen (15) calendar day period shall begin on the date the receipt of notice is signed by the employee or someone acting in the employee's behalf. It shall be the responsibility of the employees subject to recall to inform the Department of Human Resources of any change of address and to otherwise provide the necessary means to be informed by certified mail that they have been recalled. Failure of the employee to provide for receipt of the recall notice shall constitute removal of the employee from the recall list and the employee shall forfeit all recall rights.~~

~~D. An employee forfeits all recall rights upon resignation or failure to maintain licensure requirements.~~

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