

## **REDUCTION IN PROFESSIONAL STAFF WORK FORCE (RIF)**

The following procedures will apply when the Board is giving consideration to a Reduction in Force when such reduction cannot be accomplished by normal, current attrition:

### **1. GENERAL GROUNDS FOR REDUCTION IN FORCE**

An employee(s) may be rified when the Board decides that because of (i) a reduced enrollment, or (ii) a financial exigency, the Board's contractual obligations to one or more teachers or other certified employees can not be further met. Such a decision may be made and any resulting termination may be affected only in accordance with the procedure provided in this RIF policy.

### **2. BOARD'S PRELIMINARY DETERMINATION AND STATEMENT**

If the Board decides that (i) a significant reduced enrollment exists or is imminent or a state of financial exigency exists or is imminent or a program change should seriously be considered and, (ii) the RIF of one or more teachers or other certified employees may be a required consequence, it shall forthwith prepare a statement that identifies with reasonable particularity the state of reduced enrollment or financial exigency. The statement shall outline in terms as specific as the circumstances permit the options or available alternatives which are readily apparent and are being considered by the Board at the time, including any options that would or might involve a RIF. This statement should indicate which programs, functions, classes or schools, if any, may be eliminated or reduced and if possible, shall set forth any apparent alternatives. This statement shall be transmitted forthwith to the faculty committee, with a request for its action in accordance with the provisions of 3. This committee shall be appointed by the Board in accordance with Board Policy GCPA. A summary of the statement shall be published by any means reasonably calculated to bring it to the attention of all teachers and other certified employees, together with a statement that the subject has been referred to the committee for action. Until the committee acts, the Board shall undertake, whether directly or through the Superintendent's office, to obtain advice and recommendations with respect to the matters addressed in the statement from all administrators and supervisors whose schools or units will be affected by any identified option involving termination.

### **3. COMMITTEE ACTION**

The committee shall consider the matters identified in the Board's statement in order to give its advice and recommendations thereon to the Board. In this function, the committee acts as representative of the employees' interests in both their personal concerns and their professional concerns for the school district's educational program. The committee is entitled to further information reasonably available to the Board or Superintendent including any clarification of the situation by the Board in light of information available. Within fifteen (15) calendar days after it receives the Board's statement, the committee shall submit to the Board its written report, including any minority reports. The report shall contain advice and recommendations addressed

to the precise circumstance and optional responses identified in the Board's statement, and it may suggest other responses or courses of action for the Board's consideration or adoption. The report may be accompanied by any communications and other data considered by the committee.

#### 4. BOARD'S DECISION

Within thirty (30) days after it receives the committee's report, and having due regard for the advice and recommendations received from the committee, the school's administrators and/or the electors of the district, the Board shall determine whether any option involving RIFs must be retained as a possible response. The Board shall make this determination only after considering and weighing the effects of current normal attrition, possible early retirement incentives, solicitation of voluntary resignations, and reductions of non-certified employees or support staff. If the Board determines that, in view of other available options, it need not consider further any option involving a RIF, it shall notify the Superintendent, the committee, and the faculty. If it determines, on the basis of all information then available, that it must take action that will or reasonably might involve a RIF, it shall transmit to the Superintendent a statement that designates the particular schools or area of school operation in which it thinks a RIF should be affected. The Superintendent shall use the following criteria which are listed in order of importance.

- a. Versatility of the Teacher. Preference will be given to a teacher in the following order of importance:
  - (1) Qualified and **has** certification to teach in more than one area;
  - (2) Extracurricular activities, present paid assignments and/or certificate endorsements;
  - (3) Total credit hours beyond the bachelors degree as recognized on the existing contract.
- b. Longevity of the Teacher in the District. The criteria for determining longevity will be the first working day on the job in the district.
- c. Other criteria the Board deems relevant.

#### 5. SUPERINTENDENT'S ACTION

Within five (5) days after he/she receives the statement, the Superintendent shall submit to the particular teacher/s or other certified employee/s whom he/she plans to recommend to the Board for the RIF. He/she shall not make his/her recommendation until he/she has consulted with each principal or supervisor in whose school or unit a RIF is proposed.

Within ten (10) days after he/she receives the statement, the Superintendent shall submit to the Board his/her recommendations for the RIF of particular teachers or other certified employees. He/she shall not make his/her recommendation until he/she has consulted with each principal or supervisor in whose school or unit a RIF is proposed.

#### 6. TEACHER/CERTIFIED EMPLOYEE TO BE RIFFED STATEMENT

After the Superintendent submits to the Board his/her recommendations for the RIF, but before the Board considers it, the affected teacher or certified employee will be given the opportunity to address the Board regarding the Superintendent's RIF recommendation as it affects the particular individual.

## 7. NOTICE TO INDIVIDUAL TEACHER

- a. If, after considering the Superintendent's recommendation and the individual's testimony, the Board acts to carry out a RIF, it shall give written notice of the fact to the teacher or certified employee to be rified. The notice shall include a statement of the conditions requiring the RIF. The teacher's or certified employee's address, as it appears on the District's records, shall be deemed to be his/her correct address. It shall be the teacher's or certified employee's responsibility to see that the school or institution has his current address on file.
- b. **Timeliness.** In all cases where the RIF is based on program change unrelated to financial exigency, and if possible in those situations of reduced enrollment and financial exigency, the Board shall comply with the statutory notice requirement for non-reappointment of a teacher or certified employee, which requires that notice be given to that teacher, whether continuing, contract, or initial contract, before April 15 of the school year after which termination will become effective.

## 8. REVIEW OF INDIVIDUAL TERMINATIONS

As noted in item number 6 the individual will be given the opportunity to address the Board prior to the Board making any decision regarding the individual's termination due to RIF. Notice of termination shall be given as and when required by state law

## 9. RECALL FROM TERMINATION DUE TO REDUCTION IN FORCE

To be eligible for recall, the continuing contract teacher or certified employee must, prior to the last day of the current school year prior to the reduction in force, make a written request to be placed on the recall list and provide the address where the continuing contract teacher may be reached at all times. Such request shall be delivered to the Office of the Superintendent, Guernsey, Wyoming. It is the continuing contract teacher's obligation to notify the Board of any change of address.

If a teacher's or other certified employee's contract is terminated because of reduction in force, that teacher's or other certified employee's name shall be placed on a recall list for a period of one year. If a position becomes available during that period, and the teacher or other certified employee has been selected by the Board as the most qualified to hold that position, the teacher or other certified employee will be notified in writing by certified mail, sent to his/her last known address. In determining whether a teacher or other certified employee is qualified for reappointment, the Board will employ the same criteria it established to determine RIF. The teacher or other certified employee will accept or reject the appointment in writing within seven

(7) calendar days after receipt of notification. If the appointment is accepted, the teacher or other certified employee will receive a written contract within twenty (20) calendar days of receipt of the teacher's or other certified employee's reply by the Board. If the teacher or other certified employee rejects the appointment offer or does not respond within seven (7) calendar days after receipt of such notification, the name of the teacher or other certified employee will be removed from the recall list.

Reappointment rights under recall are limited to one (1) calendar year from the time of termination of services. Any person reappointed under this recall will have the same rights and privileges as were available at the time services were discontinued, but will not be given increments for the period of unemployment.

#### 10.EXCLUSIVE RIF PROCEDURE

This procedure is the only one that may be used in a Reduction in Force. Any existing procedure for reconsidering or examining an employee discharge, non-reappointment, or a grievance, is not available for considering an issue that arises from a Reduction in Force. Similarly, no personnel action other than a Reduction in Force may be considered under this procedure.

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