

ARTICLE XII: REDUCTION IN TEACHERS

- Section 1.** When reductions in the total teaching staff are under consideration, the Board shall so inform the Association at least thirty (30) days prior to a final decision. The Association shall be given an opportunity to suggest reasonable alternatives to reductions. Within fifteen (15) days of notification, the Association shall submit its suggestions in writing and the Board or its representative shall respond in writing within fifteen (15) days of receipt of the Association's suggestions. The Board agrees that it will not implement a reduction in force until after bargaining in good faith has been completed.
- Section 2.** Reduction of tenured or non-tenured teachers, other than through attrition, as a result of the decision of the school board to decrease the number of teachers employed by the board or discontinue some particular type of teaching service, shall be as follows:
- A. Each teacher shall be categorized into one or more positions for which the teacher is qualified to hold. Within each position the teachers shall be placed in Grouping 1, 2, 3 or 4, which are defined as follows:
1. **Group 1:** Non-tenured teachers who have not received a performance evaluation rating.
 2. **Group 2:** Non-tenured and tenured teachers who have received a Needs Improvement or Unsatisfactory performance evaluation rating on either of the teacher's last 2 performance evaluation ratings.
 3. **Group 3:** Non-tenured and tenured teachers who have received a performance evaluation rating of at least Satisfactory or Proficient on both of the teacher's last 2 performance evaluation rating, if only one rating is available, unless the teacher qualifies for placement into Group 4.
 4. **Group 4:** Non-tenured and tenured teachers whose last 2 performance evaluation ratings are Excellent and each teacher with 2 Excellent performance evaluation ratings out of the teacher's last 3 performance evaluation ratings with a third rating of Satisfactory or Proficient.
- B. Reduction In Force Committee: This committee will be comprised of an equal number of Association members and District Administrators.
- C. Among teachers qualified to hold a position, teachers must be dismissed in the order of their groupings, with teachers in Group 1 dismissed first and teachers in Group 4 dismissed last.

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D. The sequence of dismissal within each Group shall be as follows:

1. **Group 1:** As the discretion of the school board
2. **Group 2:** The teacher with the lowest average evaluation rating shall be dismissed first and so on. The teacher's average performance evaluation rating shall be calculated using the teacher's last 2 performance evaluation ratings, if 2 ratings are available, or the teacher's last performance evaluation rating, if only one rating is available, using the following numerical values: 4 for Excellent; 3 for Proficient or Satisfactory; 2 for Needs Improvement; and 1 for Unsatisfactory. If teachers in Group 2 have the same average performance evaluation ratings, the order of dismissal shall comply with the order of dismissal for teachers in Group 2, 3 and 4.
3. **Group 2, Group 3 and Group 4:**
 - a. Those teachers with one (1) year or less of service in the District.
 - b. Those teachers with more than one (1) year but less than two (2) years of service in the District.
 - c. Those teachers with more than two (2) years but less than three (3) years of service in the District but who have not achieved tenure.
 - d. Those teachers with two (2) years but less than three (3) years of service in the District.
 - e. Those teachers with three (3) years but less than four (4) years of service in the District.
 - f. Etc.

If two (2) or more teachers have had equal length of service in the District, then the tie-breakers are as follows:

- I. Teachers dismissed first at the BA Vertical Lane; teachers dismissed second at the BA +16 Vertical Lane; and so on.
- II. Actual hiring date by the Board.
- III. In case of equal seniority up through Point (b) above, the following shall apply: Grades Kindergarten through Grade Six teachers shall be given priority at the K through 6 levels and Grade 7 through Grade 12 teachers shall be given priority for positions at the 7 through 12 levels.
- IV. If a final tie-breaker is needed, the selection of the teacher will be made by the casting of lots, in the presence of all parties in interest.

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- E. Teachers may not enroll in classes after March 1 for purposes of either bumping or to avoid being bumped. For those teachers who may be involved in the bumping process who have received additional certification in another subject area or level prior to March 1, or who are enrolled during the term that March 1 falls, must submit substantiating evidence for completed courses or contemplated completed courses to the Assistant Superintendent, Personnel, by March 1. Failure to notify the Assistant Superintendent, Personnel, by this date relieves the Board of its bumping obligation as it pertains to this Section.
- F. Seniority shall be defined as continuous contractual service, including Board leave. Seniority does not accumulate from a previous contractual employment, but only from the last official hiring date; except where an honorable discharge was given because of a reduction and the teacher returns within two (2) years from the layoff date.

Section 3. If the Board increases the number of teachers, or if a teacher resigns at any time after the layoff(s), the Board shall offer re-employment to the teacher laid off Group 2, 3 or 4 in the reverse order of the layoff specified above provided said teacher has proper certification. Said offer of re-employment shall be subject to a fifteen (15) month limitation from the last day of contractual teacher-pupil contact. All known vacancies shall be filled prior to the opening of the school term if properly certificated reduced staff are available.

- 3.1 A teacher's failure to respond affirmatively within twenty (20) calendar days after mailing of the Board's letter sent by registered mail to the teacher's address on file with the Board recalling such teacher shall result in termination of the teacher's rights of recall hereunder. The Board will accept from the teacher any signed statement indicating a desire not to be hired back as it pertains to this Article.

Section 4. If an employee's position is eliminated under a Reduction In Force, that person shall be permitted to bump into any position for which he/she is qualified, provided that such teacher:

- a) is certificated for the position he/she is bumping into, and
- b) has more District seniority than the teacher he/she is bumping; and
- c) is in the same or higher Group number than the teacher he/she is bumping.

- 4.1 In case of equal seniority, grades kindergarten through six teachers shall be given priority at the K through 6 levels, and grades 7 through 12 teachers shall be given priority for positions at the 7 through 12 levels.

Section 5. The parties specifically agree that all "Proficient" ratings issued to teachers on or before September 1, 2012 under the current teacher evaluation plan shall be considered ratings of "Excellent" for purposes of determining a teacher's placement in the appropriate Grouping for purpose of a Reduction In Force.