

CERTIFICATED EMPLOYEE REDUCTION-IN-FORCE

- A. Reduction in certificated staff which may be required due to decreasing enrollments, changes in financial support, changing programs or other factors which, in the opinion of the Board of Education necessitates reductions, will be accomplished when possible through normal procedures of resignations, retirements and other methods of attrition of staff.
- B. In the event it becomes apparent the necessary staff reductions may not be accomplished through the normal attrition, the superintendent will notify the affected teachers of the possibility their contracts may be reduced because of reduction in force.
- C. The process of selecting personnel for reduction will involve consideration of the following which are not listed in order of importance.
- Performance evaluations
 - Contribution to activity program
 - Programs to be offered
 - Areas of certification and endorsement which would be helpful in meeting the accreditation standards under the rules of the Nebraska Department of Education.
 - Qualifications that may require specific training and/or experience
 - State and Federal regulations which may mandate certain employment practices
 - Seniority
 - A. Seniority, or length of service, shall be defined as the number of continuous full time equivalent years of employment in the district as a teacher. A full time equivalent year is defined as employment on a full time basis for an entire school year. Less than full time employment would reduce the teacher's full time equivalent employment for a school year. For example, a teacher employed on a half time basis would be credited with half a year of full time equivalent employment. A break in service will terminate a teacher's seniority under this provision. That period of time when a teacher is on a leave of absence shall not constitute a break in service; however, any years of absence or fractions of years of leave of absence will not count as years of employment for the purposes of determining a teacher's seniority.
- D. No reduction of a permanent or tenured employee shall take place while a probationary employee is retained to render a service which the permanent employee is qualified by

Approved __09/13/2010__ Reviewed _____ Revised _____

reason of certification and endorsement to perform or where certification is not applicable by reason of college credits in the teaching area.

- E. Any employee whose contract shall be terminated because of a reduction in force shall be considered to have been dismissed with honor and shall, upon request, be provided a letter to that effect. Such employee shall have preferred rights to reemployment for a period of 24 months, commencing at the end of the contract year and the employee shall be recalled on the basis of length of service to the school to any position for which he or she is qualified by endorsement or college preparation to teach. The employee shall, upon reappointment, retain any benefits which have accrued to said employee prior to termination, but such absence shall not be considered as a year of employment by the district. An employee under contract to another educational institution may waive recall, but such waiver shall not deprive the employee of his or her right to subsequent recall.
- F. Teachers terminated for reduction in force shall be given priority for substitute teaching opportunities in fields or areas which they are qualified.
- G. Certified staff members who are notified they may be considered for reduction shall be given an opportunity for a hearing with the board prior to the time final action is taken in accordance with the Nebraska Statutes then in effect.
- H. Employee evaluation is to be included as a criteria to be used for reduction in force only when the board determines it is in the best interest of the district to use it as a criteria. The evaluation form to be used for teaching personnel is contained in the board policy and approved by the board. Any evaluation forms that may be used for administrative or administration-type personnel are contained in the board policy manual and approved by the board.
 - 1. The evaluation shall take place and the evaluation form shall be completed at least two times every school year for teaching type personnel who have probationary status. Those with permanent status will be evaluated at least once each year. All evaluations on record may be considered. The evaluator shall make at least one full classroom period observation prior to completing each evaluation form for teaching personnel as required herein, and this observation shall be considered in completing the form.
 - 2. The evaluation shall take place and the evaluation form shall be completed at least two times every school year for administrative and administration-type personnel who have probationary status. Those with permanent status will be evaluated one time every year at a minimum. The evaluator shall make at least one full classroom period observation prior to completing each evaluation form for administrative or administration type personnel as required herein, and this observation shall be considered in completing the form.

- I. Due to the confidential and unique personal working relationship necessary between the administration and the board, a certificated employee who is not currently serving in a predominantly administrative capacity shall have no rights under this policy to any administrative position opening within the school district.
- J. It is the responsibility of all certificated staff to file with the superintendent by March 15th of each year any additional endorsements which they have earned during the past 12 months. If any certificated staff member fails to file a new endorsement by March 15th, the endorsement will not be considered in a reduction-in-force procedure for the upcoming school year.
- K. It is the responsibility of any certificated staff whose employment has been terminated because of reduction in force to continue to file endorsement changes and changes of address with the superintendent.
- L. This policy shall specifically permit and allow reductions in force to occur which deal with total elimination or reduction or amendment of contracts or positions, which deal with reductions-in-force from full-time to part-time, which deal with reductions in force from part time to a lesser part time, or which deal with any other reductions in force which result in the elimination or reduction or amendment of a certificated employee's contract or employment position.

Legal Reference: Neb. Statute 79-846 to 849
79-824 to 844

Cross Reference: 402 Employees and Internal Relations
406.08 Certificated Employee Evaluation