Policy

SUPPORT STAFF REDUCTION-IN-FORCE/PRO RATA REDUCTION IN SALARY AND/OR WORKDAYS

Code GCKA  Issued -01/03

Purpose: To establish the basic structure for district-wide reductions in support staff, or pro-rata reductions in support staff salary and/or workdays.

Pro Rata Reduction in Salary and/or Workdays

Loss or reduction in any amount of anticipated or appropriated state, local or federal funding may, at the discretion of the Superintendent, require a pro-rata reduction of salary or a reduction in the number of days worked. Furthermore, any decline in student enrollment, elimination or change in course programming, financial emergency, or temporary closing of school or district operations because of emergency circumstances may require a pro-rata reduction in salary or days worked. Any such pro-rata reduction will take place only upon the recommendation of the Superintendent and approval by the Board after reasonable notice has been provided to the affected parties. Recommendations to reduce salary or days worked will be made only after all other remedies have been considered. Any compensation reductions will be made on an equitable basis. Any district-wide position eliminations may be handled in accordance with the procedures set forth below. The RIF (reduction-in-force) procedures set forth below do not apply to a pro-rata reduction in salary or workdays.

Reduction-In-Force Procedure

If the Superintendent receives a recommendation from the Human Resources Officer that a district-wide elimination of support staff positions in compliance with this Policy is desirable or necessary, the Superintendent shall review the recommendation and determine what position(s) must be eliminated and what individual(s) are to be terminated. Support staff positions may need to be eliminated because of such things as decreases in student enrollment, financial exigency or other circumstances as determined by the Superintendent.

The elimination of individual support staff positions due to changes in curriculum, or programmatic changes or needs, would not be considered a reduction in force pursuant to this policy. Employee grievances that arise under these circumstances will be handled consistent with Board Policy GBK. Additionally, prior to commencing action to terminate support staff members under this policy, the Superintendent or his/her designee shall give due consideration to the ability to achieve position elimination and/or reduction in staff by voluntary retirement or resignation, reassignment, voluntary leaves of absence, and part-time employment. Such actions would not be considered a reduction in force and thus would not trigger the guidelines set forth below.

- Reduction-in-force terminations will occur on a district-wide basis; therefore, the
Recommendations

Richland School District Two

his/her conducted statement to terminate his/her shall be based upon the following considerations:

- Experience
- Area(s) of expertise
- Education level
- Performance evaluation
- Attendance record
- Experience in other areas of expertise
- Principal's or supervisor's recommendation
- Number of days worked
- Support needs of the schools and district
- Length of service in the district
- Safety, maintenance, and operational needs of the schools and district
- Any other factor considered appropriate by the superintendent

The superintendent may determine the appropriate weight to give to these factors depending upon the needs and circumstances of the district.

Notice to Individual Employee:

Recommendations for the elimination of individual support staff positions or reductions in force shall be made only after consultation by the chief human resources officer or his or her designee with the affected employee(s). Following such consultation, written notice of the superintendent’s decision to terminate pursuant to this policy shall be sent to the affected employee(s) by certified mail, return receipt requested. Notification shall be provided to affected employees as soon as possible and as far in advance of the termination date as possible and in accordance with state and federal law. In no case shall affected employees be terminated with less than two (2) weeks notice.

Review of Individual Termination

Within ten (10) calendar days after receiving a notice of termination under this policy, an employee may request a hearing on the matter before the superintendent or his or her designee. Any such request shall be in writing and addressed to the superintendent. The request for review will specify the grounds on which it is contended that the decision to terminate was arbitrary, discriminatory or otherwise improper and must include a short, plain statement of facts that the employee believes supports his/her contention. A hearing will be conducted in an informal manner as determined by the superintendent. The superintendent or his/her designee will conduct the hearing with the employee within ten (10) calendar days of receipt of the employee’s request and will respond in writing to the employee within ten (10)
calendar days of his/her hearing of the matter. At a hearing before the superintendent or his/her designee, the employee may be accompanied by a representative of his or her choosing who is an employee of the district. Reasonable adjustments to the time frame set forth may be made at the request of either party.

After following the above procedure, an employee may request a meeting with the Board of Trustees for the purpose of discussing contention that the grounds to terminate were arbitrary, discriminatory, or otherwise improper. This request will be made in writing to the superintendent within five (5) calendar days of the superintendent’s or his/her designee’s response following the review of the decision to terminate.

The superintendent will, at the next regularly scheduled board meeting, present to the board the request for a review of the decision to terminate, together with all correspondence and responses from the lower administrative levels.

On behalf of the board, the superintendent or his/her designee will notify the employee of its decision (whether or not to meet with him or her to discuss the decision) within ten (10) calendar days. Should the board decide to discuss the matter with the employee, said discussion will be informal and non-adversarial. The employee may be represented by legal counsel and shall be required to satisfy the board by clear and convincing evidence that the decision to terminate was arbitrary, discriminatory, or otherwise improper. The employee shall be notified of the board’s decision within ten (10) calendar days following the hearing of the board’s decision. Notification to the employee will be made by the superintendent or his/her designee on behalf of the board.

Adopted 3/12/02; Revised 1/28/03,