

REDUCTION IN PROFESSIONAL STAFF WORK FORCE

In the event a Reduction in Force (RIF) is deemed necessary with respect to professional staff, the Superintendent shall develop a proposal and make a recommendation to the School Board to implement such RIF in the manner deemed to be in the best interests of the school division.

Prior to implementation of a RIF, all possible alternatives to the elimination of positions and/or release of employees shall be considered. Alternative considerations may include, but are not necessarily limited to, reductions due to resignations, retirements, and non-renewals based on unacceptable job performance and/or reassignments to open positions that result from any of these occurrences. Contract reductions, as provided in (Section D) below, may also be an alternative to position elimination and/or release of employees.

The School Board may reduce the number of teachers whether or not they have attained continuing contract status, and, in implementing a RIF, the School Board shall treat all teachers as though they have not attained continuing contract status. The School Board recognizes that normal attrition may lessen the need to reduce staff and ought to be reasonably supported.

When a determination has been made to reduce the professional employee work force because of conditions such as a significant decline in enrollment; loss of federal, state or local funding; discontinuance of subjects, programs or special projects (e.g., grants); marked decline in revenues which result in a reduction in the number of professional staff needed in a building, program or department, or in the entire school division; the Superintendent shall effectuate the reduction in force by following the procedures listed below.

A. DEFINITIONS

For purposes of this regulation, the following definitions apply:

Professional Employee - Those persons who hold certificates as teachers, administrators, supervisors, and other licensed or certificated instructional positions as defined by the State Board of Education under its rules and regulations.

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

The endorsement area applicable for purposes of this regulation is that endorsement area in which the individual is actively employed and assigned at the time it may be necessary to implement a RIF.

Highly Qualified Teacher - A teacher who maintains either a valid postgraduate professional teaching license, collegiate professional or a valid provisional or special education conditional license; has passed the Praxis II examination, if applicable to the teaching endorsement or highly qualified special education status; and is actually teaching in his/her endorsed area(s) at the time it may become necessary to implement these RIF procedures.

Seniority – For purposes of this policy, “seniority” shall be defined in the following order of priority:

1. Total length of continuous service in an endorsement area as a professional employee with Waynesboro Public Schools. For purposes of this provision, “continuous service” shall be defined as the period of continuous, uninterrupted service from the date the employee assumed employment duties in his/her current position in the endorsement area required for that position. While time off for approved leaves of absence (e.g., FMLA) shall not count for purposes of calculating time in service, such leaves shall not be considered an interruption of continuous service;
2. Total length of accumulated service in an endorsement area as a professional employee with Waynesboro Public Schools. While an employee may be credited with service time in multiple endorsement areas, service credit will be earned only for actual service rendered in the identified endorsement area.

B. PROCEDURES FOR REDUCTION

1. The Superintendent shall determine areas which must be reduced and inform the School Board of recommended reductions. The criteria set by this regulation for the order of reduction will be followed in the development of a RIF proposal. In accordance with state statutory notice requirements, the Superintendent or designee shall inform those professional employees who may be affected of the recommended reduction and of the reasons for such reduction.
2. All employees on a salary scale, whether 10-, 11-, or 12-month employees, shall be evaluated for release or reduction under this policy on an equal basis, without regard to their contract status of 10-, 11-, or 12-month.
3. An employee will be released from employment in accordance with state statutory requirements. Only personnel with “Proficient” or better as their Overall or Summative performance rating in the evaluation cycle immediately prior to their release due to the RIF will be eligible for recall or re-employment.

C. ORDER OF REDUCTION

1. Program and/or Position Elimination
If the School Board determines, upon recommendation of the Superintendent, that a reduction is necessary and would be best accomplished through program elimination and/or the elimination of specific positions (either because the duties of the job shall be eliminated or combined with the duties of some other position(s)), then reduction shall occur by program and/or by specific positions and professional employees employed in such eliminated program and/or specific positions shall be released.

2. Reduction by Endorsement Areas on a Division-Wide Basis

If the School Board determines, upon recommendation of the Superintendent, that either a further reduction is necessary beyond eliminating one or more programs or one or more specific positions, or that a reduction is not best accomplished through normal attrition, program elimination or specific position elimination, then reduction shall occur division-wide by endorsement area. In developing a RIF plan division-wide by endorsement area, the Superintendent shall make reduction recommendations by applying the criteria to all professional employees actively employed and assigned in the affected endorsement area at the time the RIF is implemented. The following procedures and criteria will be followed to reduce by endorsement area:

- A. Employees who received a rating of “Unacceptable” as their Overall or Summative performance rating in the immediately previous evaluation cycle will be first subject to automatic release, followed by employees with an Overall or Summative rating of “Needs Improvement” in the immediately previous evaluation cycle. Only after employees rated “Unacceptable” and/or “Needs Improvement” have been released will employees rated “Proficient” or better be subject to the Reduction in Force, as provided in (Section B) below.
- B. If all employees within the affected endorsement areas are in active teaching assignments in that endorsement area and have “Proficient” or better Overall or Summative performance ratings, or if application of (Section C; 2 A) above was not sufficient to fully meet the division’s RIF needs, the Superintendent shall make reduction recommendations by applying the following factors in no particular order to those “Proficient” or better employees in active teaching assignments in the affected endorsement area:
 - The licensure or other qualifications of the employee and the corresponding curricular or other needs of the school division;
 - The employee’s current and previous performance evaluations;
 - The program or class demand based on enrollment history and student requests;
 - The employee’s collective contribution to the total school program;
 - The employee’s attendance (excluding FMLA or ADA absences); and
 - The employee’s seniority.

In developing a proposed RIF plan by endorsement area division-wide, the Superintendent will take into account all of the above-identified considerations and factors that best meets the needs of the school division. When evaluating the factors listed in (Section C; 2 B), no single factor shall be determinative. If the Superintendent determines that two or more employees under consideration for reduction are equal after application of the above-identified factors, then and only then shall seniority be the determining factor.

D. CONTRACT REDUCTIONS

The Superintendent may recommend budget reductions that result in reducing contracts. "Reducing contracts" means changing 12- or 11-month contracts to 11- or 10-month contracts, reducing an employee's hours worked from full- to part-time, or otherwise retaining contracts on altered terms rather than terminating contracts and releasing employees.

In accordance with state statutory notice requirements, the Superintendent shall inform those professional employees who may be affected by the recommended reduction of the reasons for such reduction. Priority consideration will be given to resolving these situations through normal attrition.

E. REASSIGNMENTS

When RIF action recommended by the Superintendent results in moving an employee from his or her present position to another position of equal rank and/or salary in compliance with the School Board's RIF Policy, a reassignment letter shall be sent from the Human Resources Office to the affected employee. All employee reassignments resulting from a RIF are irrevocable for the current school year. However, should a reassigned employee's previous position become vacant within 12 months of the RIF reassignment, the affected employee will be considered for reassignment, at the sole discretion of administration, to his or her previous position prior to the position vacancy being posted publicly.

F. RECALL

1. Employees released as the result of a RIF in accordance with (Section C; 2 B) above may be eligible for rehire, subject to the conditions provided herein, during the recall period as openings occur within their endorsement areas.
2. An employee released under these RIF procedures shall be eligible for recall, subject to all of the terms and conditions of this regulation, for a period of twelve (12) months after the effective date of an employee's release. The Waynesboro School Board shall not permanently fill any professional opening until all properly endorsed personnel released under this policy, and otherwise eligible for recall, have been provided with the opportunity to fill the available position through a notice of recall.
3. 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 of the Waynesboro School Division. The 15 calendar day period shall begin on the date the receipt of service is signed by the former employee or someone acting on the former employee's behalf. It shall be the responsibility of released employees who may be subject to recall to inform the personnel office of any change of address and to

otherwise provide the necessary means to be informed by certified mail of an offer of recall. Failure of a former employee to provide information that enables timely receipt of the recall notice, or failure to sign for the notice within twenty-five (25) days of its initial postmark, shall result in removal of the former employee from the recall list and the former employee shall forfeit all recall rights.

4. An employee forfeits all recall rights upon resignation or failure to maintain certification requirements.

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