

Alexandria City Public Schools
Regulations for Reduction in Staff – Licensed Staff

PURPOSE

To establish procedures in accordance with Policy GCPA for the reduction in licensed staff due to a decrease in enrollment, a budget reduction or adjustment, a consolidation of schools, the phasing out of programs, departments or grade levels or other conditions. This regulation shall supersede any and all previous regulations approved under Policy GCPA.

The procedures outlined in this regulation shall apply to teachers and licensed administrative staff. This policy shall not apply to individuals employed as casual hourly or casual daily employees, or to any other individuals who are employed on an as needed basis without an annual or continuing contract.

DEFINITIONS

The following definitions shall apply for purposes of this regulation.

A. Teacher

For the purpose of this regulation “teacher” shall include those persons who are regularly employed as non-administrative licensed staff and are paid on the licensed teacher salary scale.

B. Teaching Area

The subject/grade in which the teacher is actively teaching or the most recent permanent teaching assignment of a teacher on an authorized leave or in a temporary assignment. The teaching area of a teacher shall be determined by the six-digit job code/group, with the exception that elementary classroom teaching areas are grouped either as grades K-2 or grades 3-5.

C. Teaching Program

An official educational program with prescribed activities or a course of action designed to address the unique needs of targeted student populations. Adult Education, Dual Language, the Detention Center, and Interim Education are examples of teaching programs. Teaching programs shall be treated independently for RIF actions.

D. Licensed Administrative Positions

Licensed administrative positions include the positions of all individuals paid on the licensed administrator pay scale, including both central office administrators and building level administrators. Administrative positions will be identified by job code.

E. Part-time Employees

All individuals working less than 30 hours per week are considered part-time employees for purposes of this regulation.

PROCEDURES

When the School Board determines, based on a recommendation from the Superintendent, that a reduction in force is necessary because of any of the above reasons, the reductions shall occur as outlined below.

A. Identification of Areas for Reduction

The Superintendent shall determine teaching areas, teaching programs, and administrative positions to be reduced and the extent of each reduction based on the best interests of the school division as a whole and the continued efficient operations of all schools within the division. Reductions will be determined on a school system basis, not an individual school basis, except that employees employed in programs funded through special grants or special sources of funding shall be evaluated for reduction based on the resources and needs of those programs. These individuals employed in specially-funded programs are not eligible for recall or to displace other employees, except that individuals employed through these special programs who obtained continuing contract status with ACPS before accepting the grant funded position may be placed on the recall list in accordance with their seniority as a continuing contract teacher. The Superintendent shall notify the School Board as soon as possible about the expected need for a reduction in force and specific positions that are recommended for elimination.

B. Determination of Staff Affected by Reduction in Force

When a position has been reduced the individual(s) with the least seniority assigned to that position at the time of the reduction will be considered displaced. Where there is only one person in a position which is being eliminated, the person holding that position will be considered displaced. When the eliminated position is a “principal” the position is considered building specific and the individual assigned to the school where the position is eliminated will be considered displaced. However, at the discretion of the Superintendent, when a principal is displaced, the individual may be transferred to an assistant principal position and the least senior assistant principal will be displaced instead.

The displaced individual will be notified by the immediate supervisor as soon as possible that the position will be eliminated. Any displaced employee is encouraged to notify the Human Resource Department of any positions that they believe they are qualified for and would be willing to accept. Any displaced employee is also encouraged to formally apply for any current vacant positions within ACPS for which they are interested. Such applications will be considered as part of the normal hiring process, but will not impact whether or not the individual is offered reassignment.

The following procedures will determine whether a displaced individual will be reassigned or notified of termination based on the reduction in force. When a teacher or licensed administrative position has been identified for elimination, the Superintendent will attempt to offer the affected individuals reassignment to a teaching or administrative vacancy respectively for which the individual is qualified, if available, in accordance with seniority as provided below. For purposes of this reassignment procedure, an individual will be considered qualified for a position if they hold a valid teaching license and endorsement in the teaching area of assignment. If an individual is offered reassignment and does not accept the position they will be terminated based on a reduction in force and will not have any recall rights. Any employee who accepts reassignment will be paid in accordance with the length of contract and pay of the new position.

Displaced licensed administrators who achieved continuing contract status with ACPS as a teacher prior to being assigned as an administrator may be offered reassignment in the discretion of the Superintendent to teaching positions or other licensed staff placements, if qualified, but teachers will not be reassigned to administrative vacancies. Full-time employees may be offered reassignment to part-time positions, but part-time employees will not be reassigned to full-time positions. No individual will be reassigned to a position with more hours or more days than the contract length of their eliminated position.

If there are not enough vacancies to accommodate all displaced teachers and licensed administrators, reassignment to vacant positions will be offered to the most senior qualified individual who was assigned just prior to the elimination of their position to the same teaching area or program as the vacancy. If there are no displaced individuals who are currently teaching in the areas or programs with vacancies who are willing to accept the offered position, the vacancy will be assigned to the most senior person who is qualified and has teaching experience in the area or program within the last five years.

If there are any displaced individuals with full-time continuing contracts and current (non-provisional) licenses who are not reassigned through the above process, they will have the right to displace a probationary teacher in a position for which they are endorsed, meet the requirements for highly qualified and have taught within the last five years. The Superintendent (or at the Superintendent's discretion his/her designee) will determine if there are any probationary teachers in positions for which displaced continuing contract personnel have rights of displacement in accordance with this provision. If such a position exists the Superintendent (or at the Superintendent's

discretion his/her designee) will meet with the eligible displaced employee to determine if the individual is willing to accept the identified position.

If the displaced employee accepts the position they will be assigned to the new position and the probationary teacher will be notified of their displacement as part of the reduction in force. If the displaced employee does not accept the offered position or if no position can be identified for the displaced continuing contract employee in accordance with this provision, then they will be notified in writing of their termination as described below and they will be placed on the list of individuals eligible for recall.

C. Seniority

1) For Teachers

Seniority for teachers is established as the period from the effective date of employment as a teacher, beginning with the most recent term of continuing employment in a teaching position in Alexandria City Public Schools, including authorized leave(s) of absence. Any time spent in a part-time teaching position shall be credited by adding percentages of a contract year in accordance with the term of the part-time contract (i.e. an individual working in a 0.6 Full Time Equivalent (“FTE”) position will receive credit for 0.6 years of service for that school year). Teachers will also be given credit toward seniority for time spent in an administrative position for ACPS. However, no employees will be given credit toward seniority for time spent in a temporary, interim or substitute position. If this results in two or more teachers with the same seniority, they shall be ranked by the total length of services to ACPS in any position. If two or more teachers still have the same length of service they shall be ranked by date of employee signature on the contract offer that resulted in the most recent period of continuous teacher service.

2) For Licensed Administrators

Seniority for administrators is established as the period from the effective date of employment as an administrator, beginning with the most recent term of continuing employment in an administrative position in Alexandria City Public Schools, including authorized leave(s) of absence. Any time spent in a part-time position shall be credited by adding percentages of a contract year in accordance with the term of the part time contract (i.e. an individual working in a 0.6 FTE position will receive credit for 0.6 years of service for that school year). However, no employees will be given credit toward seniority for time spent in a temporary, interim or substitute position. If two or more administrators have the same length of service as an administrator, they shall be ranked by the total length of services to ACPS in any position. If two or more administrators still have the same length of service they shall be ranked by date of employee signature on the contract offer that resulted in the most recent period of continuous administrative service. For administrators who received continuing contracts as teachers for ACPS immediately prior to taking an administrative position, they will be placed on the seniority list for teachers as well according to the above formula.

D. Notification of Reduction in Force

The Superintendent or the Superintendent's designee shall notify in writing those individuals who are being terminated based on the reduction in force. Such written notification will be provided to any affected staff as soon as practicable after such decision is made, but no later than 14 days after of the approval by the City of Alexandria of the annual appropriations to the School Board for its budget which necessitates the reduction in force. The written notice will be hand delivered to the employee or sent by certified mail (with delivery by the above deadline) to either their school location or last home address on file with Human Resources.

Any employee receiving such notification may request a meeting with the Superintendent (or at the Superintendent's discretion with the Superintendent's designee) to discuss the reduction in force. Such request shall be made in writing to the Superintendent within 7 days of receiving the notification of reduction in force. The intent of this meeting is to provide an opportunity for the employee to discuss the reasons for the reduction in force, and does not constitute a right to grieve or otherwise appeal the decision regarding the reduction in force.

Included with the notification of reduction in force will be a list of all current vacant positions within ACPS. Any employee who is notified of termination as part of the reduction in force may apply for a vacant position in any job classification within the school division for which the employee is qualified, and will compete against all other applicants for the position in the normal hiring process at the individual school or department level. If the employee accepts an offered position, the employee's new salary will be based on the new assigned position. The selection of personnel will be governed by the need to maintain the maximum effectiveness of the facility involved as determined by the building principal or immediate supervisor for the vacant position.

Individuals terminated based on a reduction in force will be paid for accumulated leave in accordance with current procedures and maximum permissible accumulation rates for individuals who resign.

E. Exceptions

The Superintendent in his/her sole discretion may identify teaching programs, teaching areas, positions and personnel that are essential to the effective operation of the school division. Any program, area, position or personnel so identified is exempt from the provisions of this regulation, will not be subjected to a reduction in force, will not be included on seniority lists and will not be subjected to displacement even if such actions would otherwise be directed by this regulation.

F. Recall

All individuals terminated in accordance with this regulation shall be eligible for recall for 18 months unless otherwise ineligible for recall as provided by this regulation. Of the individuals reduced who are qualified to fill a subsequent vacancy, the eligible individual with the most seniority will be offered recall first. Employees who held full-time positions that were eliminated as part of the reduction in force are eligible to be offered recall to part-time positions, but employees whose part-time positions were eliminated as part of the reduction in force are not eligible to be offered recall to full-time positions. No new personnel may be employed in any position or job classification affected by a reduction in force during this 18 month period of recall eligibility until all eligible staff who were affected by the reduction in force have been offered the opportunity for recall, unless no such eligible individual is qualified and willing to fill a vacancy. This hiring provision is triggered by the formal notification in accordance with subsection D above that employees have been terminated as a result of a reduction in force.

Whether or not an individual is entitled to recall for a particular vacancy will be based on licensure, endorsement areas, meeting highly qualified requirements for position, meeting the minimum qualifications provided by the job description for the position and recent and relevant experience, as determined by the Superintendent in his/her sole discretion. No individual will have a right of recall to a position with a longer contract or at a higher level than the position in which he/she was working at the time of the reduction.

When an individual is selected for recall he/she will be notified by certified mail sent to his/her last known address on record with the Human Resources Office. It shall be the responsibility of the employee to maintain an accurate address with the Human Resources Office. If the offer of reemployment is not accepted in writing within fifteen days of postmark date of the notice of recall, then all rights of recall will be forfeited. If the notice of recall is undeliverable, all rights of recall are forfeited as well. If an employee accepts an offered position, but fails to report to work within a reasonable amount of time, as determined by the Superintendent, then the employee forfeits the offered position and all rights of recall.

Additionally, any employee forfeits his/her rights to recall if subsequent to the reduction in force any of the following occur:

- the employee makes a contractual commitment to another school division from which release cannot be obtained within two week of notification;
- an individual who is required to be “highly qualified” no longer can meet the requirements for this classification;
- a teacher fails to maintain a valid teaching license or otherwise becomes unable to qualify for a position in his/her area of endorsement

Full time employees will not forfeit their rights to recall by accepting part-time positions with ACPS. No individuals with rights to recall will forfeit those rights by accepting substitute or temporary positions with ACPS.

Upon recall to employment, eligible employees will resume their placement on the salary scale at the time of the reduction in force, but will not receive credit for the time not employed by ACPS because of the reduction in force.

G. Transfers

This policy shall not apply to the transfer of employees but shall only apply when, due to a reduction in force, an employee must be laid off. The superintendent retains the authority to transfer teachers or other employees to other assignments in accordance with Policies GCI and GDI at any time to reduce the number of persons affected by the reduction in force.

H. Personnel Record

To avoid negative implications with regard to the professional record of an employee whose position is eliminated as part of a RIF under this regulation, the personnel record of the employee will show clearly that such termination of employment was due to reduction in force.

I. Appeals

As set forth above, an employee who has received notice that he or she will be subject to a RIF may request a meeting with the Superintendent, or, at the Superintendent's discretion, with the Superintendent's designee. The intent of this provision is to provide an opportunity for an employee to discuss the reasons for such RIF with the Superintendent or designee. This provision is meant to be procedural only. Nothing contained herein shall be taken to constitute any right to grieve or otherwise appeal a RIF as provided herein.

Alexandria City Public Schools
Regulations for Reduction in Staff – Support Staff

PURPOSE

To establish procedures in accordance with Policy GCPA for the reduction in support staff due to a decrease in enrollment, a budget reduction or adjustment, a consolidation of schools, the phasing out of programs, departments or grade levels or other conditions. This regulation shall supersede any and all previous regulations approved under Policy GCPA.

The procedures outlined in this regulation shall apply to support staff and support administrators. This policy shall not apply to individuals employed as casual hourly or casual daily employees, or to any other individuals who are employed on an as needed basis without an annual or continuing contract.

DEFINITIONS

The following definitions shall apply for purposes of this regulation.

A. Support Administrators

Support administrators include the positions of all individuals paid on either support administrator pay scale. Administrative position will be identified by job code.

B. Support Staff Positions

Support staff positions include all individuals who are paid on the support staff pay scale. Support staff working in the central office will be identified by department. Support staff working in schools will be identified by building only, not by department. Support staff positions that are eliminated will be either department or building specific as appropriate, and are not considered interchangeable.

C. Part-time Employees

All individuals working less than 30 hours per week are considered part-time employees for purposes of this regulation.

PROCEDURES

When the School Board determines, based on a recommendation from the Superintendent, that a reduction in force is necessary because of any of the above reasons, the reductions shall occur as outlined below.

A. Identification of Areas for Reduction

The Superintendent shall determine the support administrator and/or support staff positions to be reduced and the extent of each reduction based on the best interests of the school division as a whole and the continued efficient operations of all schools within the division. Reductions will be determined on a school system basis, not an individual school basis, except that employees employed in programs funded through special grants or special sources of funding shall be evaluated for reduction based on the resources and needs of those programs. These individuals employed in specially-funded programs are not eligible for recall or to displace other employees. The Superintendent shall notify the School Board as soon as possible about the expected need for a reduction in force and specific positions that are recommended for elimination.

B. Determination of Staff Affected by Reduction in Force

When a position has been reduced the individual(s) with the least seniority assigned to that position at the time of the reduction will be considered displaced. Where there is only one person in a position which is being eliminated, the person holding that position will be terminated based on the reduction in force and notified as described below.

The displaced individual will be notified by the immediate supervisor as soon as possible that the position will be eliminated. Any displaced employee is encouraged to notify the Human Resource Department of any positions that they believe they are qualified for and would be willing to accept. All displaced employees are also encouraged to apply for any current vacancies within ACPS for which they are interested, and they will be considered as internal applicants as part of the regular hiring process. The following procedures will determine whether a displaced individual will be reassigned or notified of termination based on the reduction in force.

When a support staff position has been identified for elimination, the Superintendent in his/her discretion may offer the affected individual reassignment to a vacant support staff position within the same job classification in the same or different work location, if such position is available. Full-time employees may be offered reassignment to part-time positions, but part-time employees will not be reassigned to full-time positions. No individual will be reassigned to a position with more hours or more days than the contract length of the eliminated position. Any individual who is offered reassignment, but does not accept the offered position will not be eligible for recall as described below.

If there are displaced support staff employees who are not offered reassignment to vacant positions through this process they will be notified in writing of their termination as part of the reduction in force as described below and they will be placed on the list of individuals eligible for recall.

C. Seniority

1) For Support Administrators

Seniority for administrators is established as the period from the effective date of employment as an administrator, beginning with the most recent term of continuing employment in an administrative position in Alexandria City Public Schools, including authorized leave(s) of absence. Any time spent in a part-time position shall be credited by adding percentages of a contract year in accordance with the term of the part time contract (i.e. an individual working in a 0.6 FTE position will receive credit for 0.6 years of service for that school year). However, no employees will be given credit toward seniority for time spent in a temporary, interim or substitute position. If two or more administrators have the same length of service as an administrator, they shall be ranked by the total length of services to ACPS in any position. If two or more administrators still have the same length of service they shall be ranked by date of employee signature on the contract offer that resulted in the most recent period of continuous administrative service. For administrators who received continuing contracts as teachers for ACPS immediately prior to taking an administrative position, they will be placed on the seniority list for teachers as well according to the above formula.

2) For Support Staff

Seniority for support staff shall be determined based on date of employment for the most recent term of continuous service to the Alexandria City Public Schools in any position, including authorized leaves of absence. Any time spent in a part-time position shall be credited by adding percentages of a contract year in accordance with the term of the part time contract (i.e. an individual working in a 0.6 FTE position will receive credit for 0.6 years of service for that school year). However, no employees will be given credit toward seniority for time spent in a temporary, interim or substitute position. If multiple individuals who may be affected by this policy have the same seniority based on this process, then seniority for those individuals will be further determined calculated from the date of employment for the most recent term of continuous employment in the current position. If this process still does not identify the less senior individual, the determination will be made by lot.

D. Notification of Reduction in Force

The Superintendent or the Superintendent's designee shall notify in writing those individuals who are being terminated based on the reduction in force. Such written notification will be provided to any affected staff as soon as practicable after such decision is made, but no later than 14 days after of the approval by the City of Alexandria of the School Board's budget which necessitates the reduction in force. The written notice will be hand delivered to the employee or sent by certified mail (with delivery by the above deadline) to either their school location or last home address on file with Human Resources.

Any employee receiving such notification may request a meeting with the Superintendent (or at the Superintendent's discretion with the Superintendent's designee) to discuss the reduction in force. Such request shall be made in writing to the Superintendent within 7 days of receiving the notification of reduction in force. The intent of this meeting is to provide an opportunity for the employee to discuss the reasons for the reduction in force, and does not constitute a right to grieve or otherwise appeal the decision regarding the reduction in force.

Included with the notification of reduction in force will be a list of all current vacant positions within ACPS. Any employee who is notified of termination as part of the reduction in force may apply for a vacant position in any job classification within the school division for which the employee is qualified, and will continue to be treated as an internal candidate but will compete against all other applicants for the position in the normal hiring process at the individual school or department level. If the employee accepts an offered position, the employee's new salary will be based on the new assigned position. The selection of personnel will be governed by the need to maintain the maximum effectiveness of the facility involved as determined by the building principal or immediate supervisor for the vacant position.

Individuals terminated based on a reduction in force will be paid for accumulated leave in accordance with current procedures and maximum permissible accumulation rates for individuals who resign.

E. Exceptions

The Superintendent in his/her sole discretion may identify positions and personnel that are essential to the effective operation of the school division. Any position or personnel so identified is exempt from the provisions of this regulation, will not be subjected to a reduction in force, will not be included on seniority lists and will not be subjected to displacement even if such actions would otherwise be directed by this regulation.

F. Recall

All individuals terminated in accordance with this regulation shall be eligible for recall for 18 months unless otherwise ineligible for recall as provided by this regulation. Of the individuals reduced who are qualified to fill a subsequent vacancy, the eligible individual with the most seniority will be offered recall first. Employees who held full time positions that were eliminated as part of the reduction in force are eligible to be offered recall to part-time positions, but employees whose part-time positions were eliminated as part of the reduction in force are not eligible to be offered recall to full-time positions. No new personnel may be employed in any position or job classification affected by a reduction in force during this 18 month period of recall eligibility until all eligible staff who were affected by the reduction in force have been offered the opportunity for recall, unless no such eligible individual is qualified and willing to fill a vacancy.

Support employees will only have a right of recall to the position previously held or to a substantially similar lower position in the discretion of the Superintendent. No individual will have a right of recall to a position with a longer contract or at a higher level than the position in which he/she was working at the time of the reduction.

When an individual is selected for recall he/she will be notified by certified mail sent to his/her last known address on record with the Human Resources Office. It shall be the responsibility of the employee to maintain an accurate address with the Human Resources Office. If the offer of reemployment is not accepted in writing within fifteen days of postmark date of the notice of recall, then all rights of recall will be forfeited. If the notice of recall is undeliverable, all rights of recall are forfeited as well. If an employee accepts an offered position, but fails to report to work within a reasonable amount of time, as determined by the Superintendent, then the employee forfeits the offered position and all rights of recall.

Additionally, any employee forfeits his/her rights to recall if subsequent to the reduction in force any of the following occur:

- the employee makes a contractual commitment with another employer from which release cannot be obtained within two week of notification;
- an individual who is required to be “highly qualified” no longer can meet the requirements for this classification;

Full time employees will not forfeit their rights to recall by accepting part-time positions with ACPS. No individuals with rights to recall will forfeit those rights by accepting substitute or temporary positions with ACPS.

Upon recall to employment, eligible employees will resume their placement on the salary scale at the time of the reduction in force, but will not receive credit for the time not employed by ACPS because of the reduction in force.

G. Transfers

This policy shall not apply to the transfer of employees but shall only apply when, due to a reduction in force, an employee must be laid off. The superintendent retains the authority to transfer teachers or other employees to other assignments in accordance with Policies GDI at any time to reduce the number of persons affected by the reduction in force.

H. Personnel Record

To avoid negative implications with regard to the professional record of an employee whose position is eliminated as part of a RIF under this regulation, the personnel record of the employee will show clearly that such termination of employment was due to reduction in force.

I. Appeals

As set forth above, an employee who has received notice that he or she will be subject to a RIF may request a meeting with the Superintendent, or, at the Superintendent's discretion, with the Superintendent's designee. The intent of this provision is to provide an opportunity for an employee to discuss the reasons for such RIF with the Superintendent or designee. This provision is meant to be procedural only. Nothing contained herein shall be taken to constitute any right to grieve or otherwise appeal a RIF as provided herein.