

REDUCTION IN LICENSED STAFF WORK FORCE

A reduction in professional staff work force (RIF) occurs whenever a non-probationary teacher will lose his/her employment contract due to a justifiable decrease in the number of district licensed staff positions. As soon as the Board of Education determines that a RIF may be necessary for the following school year, the superintendent shall, as soon as practical but no later than May 30 of the year preceding RIF (unless state and/or federal funding is not known by that time), present the rationale for such a reduction to the professional concerns committee for input and discussion prior to providing a recommendation to the Board.

The Board shall make every reasonable effort, consistent with the need to maintain sound educational programs within the limit of available resources, to give written notice by May 30 prior to the next school year, before terminating employment of a probationary teacher at the end of the employment period or a teacher otherwise on continuing contract or to give notice as soon as practical in the event a late notice of financial revenues available makes the May 30 notice impossible. Such notice shall specify the reason or reasons for termination of the employment contract.

It shall be the district's intention to meet RIF requirements, insofar as possible, first by normal attrition such as by resignations, retirements, leaves of absence and/or transfers of assignment.

The Board may cancel an employment contract with a teacher without penalty to the district when there is a justifiable decrease (i.e., financial, program reductions) in the number of licensed staff positions. The district may experience staffing fluctuations in an individual building or district-wide because of:

- decreased enrollment
- decrease in the numbers of students selecting a given program
- elimination of or changes in instructional programs
- budget considerations
- opening of new school(s)
- closing of schools
- boundary changes

Continuous employment shall not be deemed to have been interrupted during the period of any paid leave of absence, long-term unpaid leave of absence or unpaid military leave of absence, which is granted by the Board. The period of any unpaid leave of absence (other than long-term unpaid military leave) granted by the Board shall not be considered to be an interruption of continuous employment, but the time of such unpaid leave shall not be included in determining whether a teacher has accrued a school year for purposes of assignment to the criteria above.

Any teacher whose employment contract is canceled pursuant to this policy shall have the right to appeal such cancellation and to request a hearing before the Board to consider factual issues as well as questions as to reasonableness and preference. The right to a hearing must be expressly asserted by written request to the Board not later than 10 calendar days after receipt of notice of cancellation.

For a period of two years following the RIF, when positions become available in a particular endorsement area where cancellation of teacher contracts occurred, such positions shall be offered to those teachers, with endorsement in that area whose contract was canceled in the reverse order of cancellation.

However, RIF'd teachers are responsible for following district guidelines to reapply for posted positions. Teachers who are offered re-employment under these circumstances shall have five

calendar days from the date of receipt of notification to accept or reject the offer. Teachers rehired under these circumstances will be placed on their salary schedule at the step above their placement at the time of contract cancellation. If the offer is rejected by the teacher, further consideration for other openings shall be forfeited. The Thompson Education Association and the human resources department will develop and present a method of tracking affected staff.

Upon re-employment in accordance with this policy, sick leave benefits previously earned when employed by the district and not used shall be restored to such teachers.

Any teacher that is subject to a RIF under the provisions of this policy shall have a letter placed in his/her file explaining the necessity for the action.

Adopted prior to 1985
Revised November 18, 1987
Revised January 1992
Revised May 4, 2011
Reviewed May 16, 2012
Revised September 19, 2012

Legal refs.: C.R.S. 22-60.5-101 et seq. (teacher licensure law)
C.R.S. 22-63-101 et seq. (Teacher Employment, Compensation, and Dismissal Act of 1990)
C.R.S. 22-63-103(11) (definition of teacher)
C.R.S. 22-63-202(3) (cancellation of employment contracts, reduction in force)

Contract ref.: TEA Agreement - Article 20-8, Reduction in Force