

## REDUCTION IN FORCE

When conditions, such as significant enrollment decline, the loss of federal or special state funds, the discontinuance of special programs or projects, or marked decline in school revenues, necessitate a reduction in force greater than what can be accommodated through attrition and appropriate reassignments, it shall be the policy of the East Baton Rouge Parish School Board to accomplish the reduction in force utilizing the following priorities and procedures. All possible alternatives to the layoffs of employees will be considered prior to implementation of the *Reduction in Force Policy*. The determination of the need to implement reduction in force procedures will be made by Board action upon the recommendation of the Superintendent.

Reduction in force will be made on a system-wide basis within categories of employees, and not on a building-by-building basis. The basic criteria in making decisions regarding the reduction in force shall be the administration and maintenance of a quality, balanced educational program and services for the students of the East Baton Rouge Parish School System. Therefore, in making decisions regarding the reduction in force of certified and classified personnel in the various categories of employment, persons with the certifications, qualification and skills necessary to provide a balanced educational program and to maintain and operate the school system shall be retained.

### CERTIFIED EMPLOYEES

The following applies to those positions requiring Louisiana certification as “teacher” or “administrator” and for those positions covered by administrative contracts.

#### General Understandings:

- The application of these procedures will be in keeping with La. Rev. Stat. Ann. §§17:441, 17:442, and 17:444.
- All employees, including those absent from duty on approved leave with or without pay, in the categories affected by the reduction in force shall be subject to the conditions of reductions in force.
- The term *category* will be defined as those positions covered by a specific job description. Should a specific job description no longer exist in the organization, all certified positions in a general fund budget pay grade that require teacher certification will be reviewed to determine those requiring like certification, degree, and experience, or other needed qualifications. In these instances, the general fund *lateral pay grade* will become the category.
- Should displacement occur as a result of employees being moved from one

category to a position of previously earned tenure, or to another certified teaching position, only permanent employees shall have the right to displace other employees.

- An employee does not have displacement rights to a higher position than the one he/she occupies at the time of the layoff.
- The first layoffs shall be made from the personnel who have been employed for one year or less as contract substitutes. These persons are non-tenured certified personnel hired in a non-permanent position.
- Non-tenured personnel will be considered for layoff before tenured employees.
- These following **criteria** in the order listed, will be used to determine displacement, should it be necessary:
  1. Certification.
  2. Seniority in the system (defined as the total teaching/administrative experience in the East Baton Rouge Parish School System).
  3. Whenever the above are equal, academic preparation, including majors and minors in subject areas, educational degrees, additional units of college or university credit, and all areas of certification.
  4. Experience in subject or administrative area.
  5. Willingness to serve under the regulation of a temporary teaching certificate.
  6. Total years of previous experience.
  7. Performance evaluation.

**The *Scoring Guide for Certified Employees* can be used at the end of the second criteria when it is necessary to break a tie.**

Scoring Guide for Certified Employees

The following set of criteria shall be the determining factor in any reduction in force when teachers or other certified employees are to be reduced:

1.	Certification	Yes	25
		No	0
2.	Educational degree		

	Master's Degree	5
	Master's Degree +30	10
	Specialist Degree	15
	Doctorate Degree	20
3.	Tenure	
	Tenured	5
	Non-tenured	0
4.	Time in Position	
	0-3 years	0
	4-7 years	2
	8-11 years	5
	12 or more years	7
5.	Performance Evaluation	
	Unsatisfactory	-5
	Needs Improvement	0
	Satisfactory	5

Reduction Procedures:

1. The East Baton Rouge Parish School Board calls for a reduction in force in specified areas through adoption of a resolution.
2. All affected employees are provided written notice (**General Notice**) as verified by signatures on rosters provided at each work location. Persons on leave will be sent a copy of the General Notice through the mail.
3. Individual notices of reduction will be sent after thirty (30) calendar days following the General Notice. These notices will be sent by certified mail, return receipt requested.
4. As positions for reduction are determined, the employment history of persons serving in the positions will be examined to determine:
  - If they are serving under an administrative contract
  - If they have previously obtained tenure
  - If they are certified for the position
  - Seniority in the system

- Academic preparation
  - Seniority in the position
  - The ability to obtain temporary certification
  - Total years of previous experience
  - Work performance evaluation
5. Persons serving in positions under an administrative contract will be returned to the last position in which they acquired tenure, in accordance with La. Rev. Stat. Ann. §17:444. Should no tenure exist, and if no vacancy exists, then the employee may be subject to termination.
  6. Should a vacancy exist in the same category as that in which the displaced employee acquired tenure, then the employee will be placed in the vacancy.
  7. Should no vacancy exist, the employee will displace any person serving in a position covered by the same broad job description who does not hold current certification, or the least senior person in the category. The category is the job description title, i.e., director, supervisor, teacher, etc.
  8. Should no position exist in the same job description category, then the category will be expanded to include those positions within a lateral budget pay grade category that require certification, as identified by Bulletin 746, *Louisiana Standards for State Certification of School Personnel*. As an example, M-7.
  9. Should no position exist in the expanded category, the employee will be returned to a position of lesser rank, with the understanding that he/she will receive the salary of the position in which tenure status was attained. If no position is available, and if tenure has not been attained, termination may take place.
  10. Once the placement of certified employee has been determined, a hearing will be held in keeping with statutes prior to any change in salary.
  11. Recall procedures, identified in this policy, will be followed as positions become available.

In cases of ties, the teacher or other certified employee with the better performance evaluation shall be preferred. If a tie remains, the employee with the better attendance record shall be preferred.

#### CLASSIFIED EMPLOYEES

Reduction in Force of classified management level and other areas of classified employees will be administered separately from certified personnel.

General Understandings:

- The application of these procedures will be in keeping with applicable statutes.
- All employees, including those absent on approved leave with or without pay, in the categories affected by the reduction in force shall be subject to the conditions of reduction in force as set forth in this procedure.
- The term *category* shall be defined as those positions subject to a specific job description, i.e., Steno I, Plumber II, etc.
- A year's *seniority* is determined by the length of the work year for that job classification. Full-time, regular employees will be given credit for seniority on an accumulative basis for all full years and one-half years worked in an appointed classified or classification. Board approved leave with pay will count toward seniority. Board approved leave without pay will not count toward seniority but will not break service.
- Seniority begins to accrue on the initial date of Board appointment.
- Layoff time will not terminate continuous service, but seniority will not accrue during these periods.
- An employee does not have displacement rights to a higher position than the position he/she occupies at the time of the reduction in force.
- These following ***criteria*** in the order listed, will be used to determine displacement, should it be necessary:
  1. Seniority within classified position categories, such as, craft, categories of clerical, food service, bus driver, paraprofessionals, and classified management level positions, etc. This list is not meant to be exclusive.
  2. Seniority defined as the total teaching/administrative experience in the East Baton Rouge Parish School System.
  3. Academic or other qualifying preparation, including special training and skill development provided by the East Baton Rouge Parish School Board (when applicable).
  4. Date of initial physical examination (school bus drivers and those positions requiring CDLs).
  5. Date of application (school bus drivers and those positions requiring CDLs).

**The Scoring Guide for Classified Employees can be used at the end of the second criteria when it is necessary to break a tie.**

Scoring Guide for Classified Employees

The following set of criteria shall be the determining factor in any reduction in force when classified employees are to be reduced:

1.	Educational Preparation	
	Forty-five (45) college credit hours	2
	Ninety (90) college credit hours	4
	One hundred twenty (120) college credit hours	6
	Degree	8
2.	Tenure (if applicable)	
	Tenured	5
	Non-tenured	0
3.	Time in Position	
	0-3 years	0
	4-7 years	2
	8-11 years	5
	12 or more years	7
4.	Performance Evaluation	
	Unsatisfactory	-5
	Needs Improvement	0
	Satisfactory	5

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3. Individual notices of reduction will be sent after thirty (30) calendar days following

the General Notice. These notices will be sent by certified mail, return receipt requested.

4. As positions for reduction are determined, the employment history of persons within the category are examined to determine seniority within a category, or to determine if specific skills/training exist.
5. Recall procedures, identified in this policy, will be followed as positions become available.

### RECALL PROCEDURES

Employees who are laid off because of reduction in force shall have their names placed on a recall list for period one year from the effective date of the original layoff. An employee who becomes qualified in another category may be recalled before another employee in that category who has less seniority in the school system. Recall of certified and classified shall be handles separately; however, if there is a need for personnel in any category and there are no laid-off personnel on the recall list in that category, any qualified person on the recall list may be offered those positions on a seniority basis. Employees who have been laid off shall be offered employment as vacant positions occur for which they are qualified. Layoff will not impact the tenure status of an employee. Employees shall be recalled in reverse order of their layoff.

- It shall be the responsibility of the employees on the recall list to inform the Human Resources Department, in writing, of changes of address and phone numbers.
- If a position is offered, the employee shall accept or reject the re-employment offered in writing fourteen (14) calendar days after receipt of notification. If the offer is done by mail, then the letter is to be sent certified, and in turn, the employee must send their response by certified mail.
- If the offer is accepted, the employee shall be expected to report to work immediately. If the employee rejects the offer of a position, (the same or equivalent to what was held before layoff), or does not respond in writing according to procedure, the name of the employee will be removed from the recall list.
- Accumulated sick leave of an employee placed on layoff will not be cancelled, but will remain credited to the employee upon the employee's return to regular employment.
- An employee recalled to a position after having been placed on layoff shall

be placed on the appropriate salary schedule at the same step for which the employee is qualified. An employee accepting assignment to a lesser position shall be placed in the pay grade for that lesser position or at the level appropriate to the employee's years of experience.

- A twelve-month employee will be permitted to use accumulated annual leave time immediately preceding the employee's effective date of layoff.

#### TERMINATION OF RE-EMPLOYMENT RIGHTS

Re-employment rights shall be terminated under the following conditions:

- The employee resigns or retires
- The employee does not report to work within seven (7) calendar days after the stated date of re-employment and has no valid reason for failing to report to work
- The employee has been on layoff for a period of time equal to one (1) calendar year
- Non-maintenance of certification or licensure in the area of previous assignment.

Ref: La. Rev. Stat. Ann. ' ' 17:81.4, 17:441 et seq.