



Administrator and Certificated Staff Reduction-in-Force Plan

I. USPLANGUAGE

IV. ADMINISTRATORS AND CERTIFICATED STAFF

G. Reductions in Force

The provisions of this Section do not apply to persons dismissed for cause.

1. By February 1, 2013, the District shall develop a plan (“RIF Plan”) which takes into account the District’s desegregation obligations for any reductions in force (“RIF”) or other employment actions requiring the dismissal of administrators and/or certificated staff members who have been hired to fulfill a need specifically identified in this Order. (This shall refer to individuals hired pursuant to Sections (II), (IV), (V), (VI), and (VII).) The RIF Plan, and any future modifications, shall be communicated to all personnel in writing and posted on the District’s website. No reductions in force may take place sooner than 30 days after the RIF Plan is communicated to all personnel. If reductions in force are necessary before February 1, 2013, due to school closures or other significant changes in schools’ capacities, the District shall communicate informally regarding the substance of the new RIF Plan to administrators and certificated staff members before any such RIFs take place.
2. Administrators and certificated staff members who have been hired to fulfill a need specifically identified in this Order (This shall refer to individuals hired pursuant to Sections (II), (IV), (V), (VI), and (VII)) and who are meeting performance and conduct standards shall not be subject to a RIF for at least three full school years after they have been hired. Principals who are selecting candidates for RIFs shall consider administrators and certificated staff members’ evaluations in making their selections.
3. After a reduction in force, the District shall place the names of those administrators and certificated staff who have been subject to RIF and who wish to be considered for reemployment in the District on a list of candidates for future employment. In the event that the District has future job openings, it shall review this list and determine whether these administrators or certificated staff are qualified for the vacant positions. If so, the District shall contact them to determine if they are interested in the position, and if so, the District shall place them in the pool of job candidates. (This provision shall not be interpreted or applied to provide lesser rights than certificated staff members or administrators may have pursuant to separate agreements with the District.)

4. No vacancy created as a result of the RIF of an African American or Latino administrator or certificated staff member may be filled until such displaced administrator or certificated staff member who is qualified has had an opportunity to fill the vacancy and has failed to accept an offer to do so.
5. The District shall ensure that any reductions in force or employment actions requiring the demotion or dismissal of administrators or certificated staff shall not be made due to the race or ethnicity of the demoted or dismissed individual.

II. EXECUTIVE SUMMARY

The purpose of the Reduction in Force (RIF) Plan is to articulate necessary actions when administrators and certificated staff are subject to a RIF. When financial, organizational, and/or programmatic needs deem a RIF is inevitable, TUSD shall ensure compliance with employment laws, the USP, other relevant court orders, and Governing Board Regulation GCQA-R (Reduction in Force Guidance). **See Appendix A** – Regulation GCQA-R, and **see Appendix B** – Arizona Revised Statute ARS-15-544.

TUSD shall appropriately communicate and notify personnel and no reductions in force may take place sooner than thirty (30) days after the RIF Plan is communicated to all administrators and certificated staff. TUSD must determine who may be affected by the RIF and convey recall considerations. In developing and implementing the RIF Plan TUSD shall, at a minimum:

1. Include the appropriate notification measures to ensure employees are notified about the anticipated RIF.
2. Identify and address the employees that may be subjected to the pending RIF.
3. Develop the strategies to communicate the recall procedures of RIF personnel.

The District shall ensure that any reductions in force or employment actions requiring the demotion or dismissal of administrators or certificated staff shall not be made due to the race or ethnicity of the demoted or dismissed individual.

III. DEFINITIONS

A.R.S. §15-544, authorizes the governing board to utilized reduction in staff in order to effectuate economies in the operation of the District or to improve the efficient conduct and administration of the schools.

A.R.S. §15-505, establishes deadlines for the governing board to issue notices of non-renewal to Superintendents, principals, head teachers and school psychologists.

DIT - District Initiated Transfer means an employee is required to transfer job sites due to a District decision. This is a common personnel action that takes place as a result of student enrollment. Personnel on regular contracts are given priority placement on DIT assignments.

Employee Agreements – the referenced employee agreement are:

- Consensus Agreement with Teacher Education Association (TEA)
- The Meet and Confer Agreements for ELI Administrators, Psychologists and Research Project Managers

Governing Board - Governing Board shall mean the Governing Board of Tucson Unified School District.

RIF - Reduction in Force means that a RIF eliminates a position or positions. A RIF does not create a vacancy. A RIF is not a demotion or a dismissal because it eliminates a position or positions.

TUSD - Tucson Unified School District is synonymous with the term “District” in this plan.

USP - Unitary Status Plan filed 02/20/13 is the USP plan referenced in this document.

IV. REDUCTION-IN-FORCE (RIF) PLAN

Pursuant to the Unitary Status Plan (USP), Tucson Unified School District (TUSD) shall seek to, when it is necessary; reduce administrative and certificated staff because of financial, organizational, and/or programmatic needs. The Reduction in Force (RIF) Plan identifies the processes that demonstrate the integration of the compliance with employment laws, court orders, Governing Board Policy Regulation GCQA-R, and Employee Agreements.

The District’s RIF Plan details the three focused areas that shall ensure the fair and equitable treatment of all RIF employees.

1. Measure to Ensure Appropriate RIF Notifications

The TUSD Governing Board RIF process is outlined in Governing Board Regulation GCQA-R and Employee Agreements that are posted on the District's Internet and Intranet websites. When it is determined that a RIF of administrators and/or certificated staff is required, personnel are notified at least thirty (30) calendar days prior to the implementation of the process to reduce the workforce. All affected employees will be notified in writing (by letter or email) that they may be subjected to a RIF.

It is important to note that a "District-Initiated Transfer" (DIT) is a staff reassignment that results from student enrollment or other District needs and is not a RIF action. Certificated staff issued a regular contract are given priority placement for DITs and then temporary contract teachers are placed, if needed.

2. Identify Employee Impacted by the RIF

TUSD shall identify and monitor all positions that will be impacted by an anticipated RIF through Governing Board policies, the USP, and employee group agreements.

a. Administrators

i. *Factors to be considered*

The Supervising Administrator identifies the individual(s) to be affected by the RIF using the following parameters:

- Performance Evaluation
- Qualifications
- Programmatic Need

ii. *Supervising Administrators may not consider the following:*

- Race, color, national origin
- Sex, sexual orientation
- Disability
- Pregnancy
- Age
- Religion
- Whether or not the Supervising Administrator socializes with the employee

iii. Appeal process

If an administrator believes that the Supervising Administrator improperly selected the administrator for the RIF, the administrator may submit a written appeal to the Superintendent or designee within five (5) days of the written notice to the administrator. The Superintendent or designee's decision is final.

iv. USP RIF Protection

- Administrators who have been hired to fulfill a need specifically identified in the USP and who meet performance and conduct standards shall not be subject to a RIF for at least three (3) full school years from the date of hire.
- Other positions that fulfill a need specifically identified in the USP shall not be subject to a RIF for at least three (3) full school years from the date of hire.

b. Certificated Staff

i. Content Area

The RIF process for Certificated Staff begins with the identification of the content area that needs to be reduced at the site level (based on enrollment, budget capacity, and attrition).

ii. Certifications and Qualification Endorsements

Administration analyzes whether all employees in the identified content area are appropriately certified and highly qualified.

iii. The individual with the lowest points on the RIF Profile.

Administration identifies the individual to be affected by the RIF using the following parameters (if there is a tie, the relevant supervising administrator breaks the tie). The RIF Profile is based on Governing Board Regulation GCQA-R (**See Appendix A**):

- Performance Evaluation
- Experience
- Programmatic to Site
- Professional Growth
- Leadership Roles
- Professional Conduct

iv. *Administrators may not consider the following:*

- Race, color, national origin
- Sex, sexual orientation
- Disability
- Pregnancy
- Age
- Religion
- Whether or not the Administrator socializes with the employee
- Teacher Plan for Improvement

v. *Appeal process*

If an employee believes that the Administrator improperly selected the employee for the RIF, the employee may submit a written appeal to the Superintendent or designee within five (5) days of the written notice to the employee. The Superintendent or designee's decision is final.

vi. *USP RIF Protection*

- Certificated staff who have been hired to fulfill a need specifically identified in the USP and who meet performance and conduct standards shall not be subject to a RIF for at least three (3) full school years from the date of hire.
- Other positions that fulfill a need specifically identified in the USP shall not be subject to a RIF for at least three (3) full school years from the date of hire.

3. Strategies for RIF Recall

The Employee Agreements for both administrative and certificated staff articulate more specific details about RIF recalls. The District shall give written notice of recall by email to the last known email address, or by sending a first class letter.

a. Administrators

Administrators affected by a RIF in good performance standing re eligible for recall.

- Vacancies that occur within one (1) year from contract non-renewal will be placed on the Administrator Notify of Vacancy list.
- Administrator must submit an application along with all the required documentation noted on the job announcement for consideration.


- Completed applicant packets will be forwarded through the selection process to the screening interview level.
- Affected administrators are responsible for notifying the District of any changes to their address, certifications, endorsements and etc.

b. Certificated Staff

Certificated staffs affected by a RIF in good performance standing are eligible for recall.

- The District's programmatic needs shall be considered.
- Certificated personnel must be appropriately certified and highly qualified.
- Seniority shall be used, if appropriately certified and highly qualified requirements are met.
- RIF's shall specify in writing the grade level, program and subject matter for which they wish to be considered for recall and they have the right to limit the positions for which they will be considered for recall.
- Certificated personnel will have forty eight (48) hours from the receipt of the recall opportunity to accept or decline a job offer.
- If three (3) recall opportunities are rejected the person is removed from the recall list. Certificated personnel subject to a RIF after March 16, 2012, shall have right to recall for a period not to exceed 1 year.
- Affected certificated staff members are responsible for notifying the District of any changes to their address, certifications, endorsements and etc.
- Affected certificated staff with expired fingerprint clearance cards, certifications and/or required endorsements shall be removed from the RIF list.

Appendix A

 Tucson, Arizona POLICY REGULATION	REGULATION TITLE: Reduction in Force Guidance
	CODE: GCQA – R

When it is necessary to reduce certificated teachers at a school, the Principal shall first determine what content area needs to be reduced. Once that determination has been made, the Principal shall determine whether a vacancy, resignation or retirement will allow for the required reduction to be addressed through attrition.

If the reduction cannot be accomplished through attrition, the Principal will consider whether all teachers within that content area are appropriately certified and highly qualified. Any teacher not appropriately certified and highly qualified will be subject to the RIF.

If a RIF remains necessary after following the steps above, the Principal shall identify the teacher subjected to the RIF by utilizing the RIF profile below. The teacher with the lowest number of points shall be RIFed.

Performance Evaluation

Two points for every satisfactory evaluation for the past three (3) years.

Teachers currently on a Plan for Improvement are not eligible for RIF.

(Maximum points 6) Total: _____

Experience – equals experience credited at hiring plus experience in the District.

List points according to the following table: (Maximum points 4) Total: _____

Years	Points
4-6	1
7-9	2
10+	4

Programmatic to Site - specialized training excluding any required training. (Maximum points 3)

Examples:

- 1) Intervention and Reading Apprenticeship
- 2) Thinking maps; 21st Century Learning, Restorative Practices, Technology (Promethean Board, Smart board, Web Design, Programming).

One point per training.

Total: _____

Professional Growth – (Maximum points 3)

Degrees (Masters, PhD./EdD)

National Board Certification

Certifications for Endorsement – programmatic to site

One point each

Total: _____

Leadership Roles – As determined by the site at the beginning of each school year through collaboration of principal and staff. Each site will post the leadership roles on the school's website or in the teachers' lounge. (Maximum points 4)

Examples:

- 1) Site Council
- 2) Program Implementation Leader
- 3) Site Committee (Professional Development-lead, present)

- 4) Site Representation
- 5) PLC Chair
- 6) Site Trainer

One point each.

Total: _____

Professional Conduct

Letter of reprimand – Deduct one (1) point for every reprimand for the past three (3) years.

Total: _____

Deduct 3 points for every suspension for the past three (3) years.

Total: _____

Overall Total: _____

In the event of a tie, in which more than one teacher has the same number of points, the Principal shall decide which teacher shall be subject to the RIF. The Principal shall articulate in writing to the employee the notice of the reduction in force and the rationale used to make the determination.

Principals may NOT consider the following:

- Race, color, national origin
- Sex, sexual orientation
- Disability
- Pregnancy
- Age
- Religion
- Whether or not the Principal socializes with the employee
- Teacher Plan for Improvement

If an employee believes that the Principal improperly selected the employee for the RIF, the employee may submit a written appeal to the Superintendent or designee within 5 days of the written notice to the employee. The Superintendent or designee's decision is final.

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Legal Ref:

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Appendix B

A.R.S. §15-544. Limitations on reduction of salaries or personnel

A. A governing board may reduce salaries or eliminate certificated teachers in a school district in order to effectuate economies in the operation of the district or to improve the efficient conduct and administration of the schools of the school district.

B. Notice of a general salary reduction shall be given each certificated teacher affected.

C. The provisions of this section do not apply to reductions in salary from monies from the classroom site fund pursuant to section 15-977.

A.R.S. §15-503. Superintendents, principals, head teachers and school psychologists; term of employment; evaluation; contract delivery; nonretention notice

D. On or before May 15 each year, the governing board shall offer a contract for the next school year to each certified administrator and certificated school psychologist who is in the last year of his contract unless, on or before April 15, the governing board, a member of the board acting on behalf of the board or the superintendent of the school district gives notice to the administrator or certificated school psychologist of the board's intention not to offer a new contract. If the governing board has called for an override election for the third Tuesday in May as provided in section 15-481, the governing board shall offer a contract for the next school year to each certified administrator or certificated school psychologist who is in the last year of his contract on or before June 15 unless, no later than five days after the override election excluding Saturday, Sunday and legal holidays, the governing board, a member of the board acting on behalf of the board or the superintendent of the school district gives notice to the administrator or the certificated school psychologist of the board's intention not to offer a new contract. The administrator's or the certificated school psychologist's acceptance of the contract shall be indicated within thirty days from the date of the written contract or the offer is revoked. The administrator or certificated school psychologist accepts the contract by signing the contract and returning it to the governing board or by making a written instrument that accepts the terms of the contract and delivering the written instrument to the governing board.

E. Notice of the board's intention not to reemploy the administrator or certificated school psychologist shall be made by delivering the notice personally to the administrator or the certificated school psychologist or by sending the notice by certified mail, postmarked on or before the applicable deadline prescribed in subsection D of this section, and directed to the administrator or the certificated school psychologist at his place of residence as recorded in the school district records.