



MEETING OF: December 10, 2013

TITLE: Reduction in Force (RIF) Plan in Accordance with the Unitary Status Plan

ITEM #: 13

Information:

Study:

Action: X

PURPOSE:

To provide the Governing Board with the final draft of the Reduction in Force (RIF) Plan for Action/Approval

DESCRIPTION AND JUSTIFICATION:

USP Section IV(G) states: G. Reductions in Force

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

1. *[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), (IV), 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.*

The initial draft was shared with the Parties, Special Master, and Governing Board in July 2013. Staff considered all feedback and developed version 2, which was shared with the Parties, Special Master, and Governing Board in September 2013. This final version reflects additional feedback from these groups and feedback from the Governing Board (November 12, 2013 Governing Board

meeting). This item is being presented to the Governing Board for action/approval. The Special Master’s proposed due date for this item is December 2, 2013.

Superintendent Goal: Desegregation
Presented by: Pamela Palmo and Samuel E. Brown

BOARD POLICY CONSIDERATIONS:

LEGAL CONSIDERATIONS:

For all Intergovernmental Agreements (IGAs), Initiator of Agenda Item provides the name of the agency responsible for recording the Agreement after approval:

For amendments to current IGAs, Initiator provides original IGA recording number:

Legal Advisor Signature (if applicable)

BUDGET CONSIDERATIONS:

_____	District Budget
_____	State/Federal Funds
_____	Other
<u>Budget Cost</u>	<u>Budget Code</u>

Budget Certification (for use by Office of Financial Services only):

Date _____

I certify that funds for this expenditure in the amount of \$ are available and may be:

Authorized from current year budget _____


Authorized with School Board approval _____

Code: _____ Fund: _____

INITIATOR(S):

Samuel E. Brown, Desegregation Director	12.03.2013
Name	Title
	Date

DOCUMENTS ATTACHED/ ON FILE IN BOARD OFFICE:

ATTACHMENTS:
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