

REDUCTION IN LICENSED STAFF

A decrease in enrollment, abolition of particular subjects, a decrease in the School Board's budget as approved by the appropriating body, a consolidation of schools, the phasing out of programs, departments or grade levels and other conditions may cause a reduction in the number of staff needed in a building, program, or department, or in the entire Division.

Regulations have been developed to provide for a general reduction in total personnel and for a redistribution of personnel within designated programs and shall be executed in accordance with regulations adopted by the School Board. The regulations will not provide for reductions to be made solely on the basis of seniority; they will include consideration of the performance evaluations of the teachers potentially affected by the reduction in workforce.

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Legal Ref.: Code of Virginia, 1950, as amended, §§22.1-70, 22.1-78, 22.1-304

REDUCTION IN LICENSED STAFF PROCEDURE

If a reduction of staff is necessary, such reductions shall occur under the guidelines outlined below:

I. DEFINITIONS

- A. Endorsement:** A teaching endorsement shown on a valid, current teaching license issued by the Virginia Board of Education.
- B. Licensed Administrator:** A principal, assistant principal or supervisor (as defined by 8 VAC 20-440-10) who is: (1) required by the Virginia Board of Education to hold a license; and (2) paid on the administrative/classified pay scale. For the sole purpose of implementing this policy, teachers who report directly to central office shall be treated as though they are licensed administrators.
- C. One-Year Hire:** A licensed administrator or teacher, as defined in this section, who: (1) was offered that position on or after August 1 of the current school year; (2) was hired as a licensed administrator or teacher for the current school year to replace an employee on an extended leave or reassignment, as evidenced by supporting documentation; or (3) was hired with funds provided expressly for the current school year only as evidenced by supporting documentation. One-year hires may be full-time or part-time.
- D. Seniority – Qualifying Service:**
1. **Continuous Service:** Total years of service in the most recent term of continuous service as a teacher or licensed administrator in the Division.
 2. **Non-Continuous Service:** Total years of service, other than Continuous Service, as a teacher and/or licensed administrator in the Division.
 3. **Virginia Service:** Total years of service, other than Continuous and Non-Continuous Service, as a teacher and/or licensed administrator in any accredited public or private school in the Commonwealth of Virginia.
 4. **U.S. Service:** Total years of service, other than Continuous, Non-Continuous, and Virginia Service, as a teacher and/or licensed administrator in any accredited public or private school in the United States of America or any U.S. affiliated school outside the United States.

Seniority is described fully in Section III.A.1.

- E. Teacher:** An employee who holds a valid teaching license from the Virginia Board of Education and/or is paid on the teacher pay scale. This does not apply to teaching assistants or other classified employees who hold valid teaching licenses issued by the Virginia Board of Education.

II. PROCEDURE FOR REDUCTION

A. Superintendent's Reduction Strategy

1. The Superintendent shall create a Division-wide reduction-in-force strategy ("Reduction Strategy") which seeks to maximize the Division's ability to meet the Board's vision, mission, and goals within budgetary restraints.
2. The Reduction Strategy will be based on reductions in positions, programs, endorsements, services, courses, and/or other appropriate areas.
3. The Reduction Strategy will provide guidance to each school regarding the nature and scope of the needed reductions.
4. If applicable, guidance for licensed administrator reductions will be included in the Reduction Strategy for development by the Superintendent's designee.

B. Principals' Reduction Plans

1. Principals shall develop reduction-in-force implementation plans ("Reduction Plans") for their schools in accordance with the Reduction Strategy and the requirements of Section III of this policy.
2. Teachers who are shared between two or more schools will be reduced upon needs of each school individually. It is at the discretion of principals to make and change assignments within their schools, taking into account qualifications and experience. Teacher preferences may be considered, but are not guaranteed. Principals may choose to, but are not required to make reassignments to different areas when a teacher holds multiple endorsements.
3. Each plan must contain:
 - a. In rank order, the names and positions of the employees proposed to be reduced and an explanation of how those employees were identified in accordance with the criteria for reduction established in Section III of this policy; and
 - b. A reduction criteria form for each employee that has been considered for reduction, even if not proposed for reduction; and
 - c. A reduction criteria form for each probationary teacher in the school who is teaching in an area where reductions are necessary or who is teaching in an area where another who is identified for potential reduction could teach, whether or not the teacher is proposed for reduction.
4. The Superintendent/Designee shall review each Reduction Plan for compliance

with the Reduction Strategy and this policy. The Superintendent/Designee may require principals to modify Reduction Plans in order to conform to the Reduction Strategy or this policy.

C. Superintendent's Division Reduction Plan

1. The Superintendent shall develop a written Division reduction-in-force plan ("Division Reduction Plan") that takes into consideration the need for equitable treatment of employees across the Division, as well as the needs of each school.
2. The Division Reduction Plan must explain the proposed reductions for each school and any licensed administrator reductions.
3. The Division Reduction Plan may propose to exempt from reduction up to 1% of the current teacher personnel whose active assignments and/or special skills are essential to the effective operation of the Division, subject to the following additional conditions:
 - a. The Superintendent may propose to exempt more than 1% of the current teacher personnel upon a showing of extraordinary need.
 - b. No teacher may be exempted from reduction for more than two (2) consecutive years.
 - c. The Board retains the exclusive right to approve, modify, or disapprove any proposed exemptions, including any proposal to exceed the 1% cap.
4. The Superintendent shall submit the Division Reduction Plan to the School Board for its review. The School Board retains the right at all times to approve, modify, or disapprove the Division Reduction Plan. Upon approval by the School Board, the Superintendent shall implement the Division Reduction Plan in accordance with this policy.
5. In accordance with Virginia Code §§22.1-304 and 22.1-305, the Superintendent/Designee shall notify all employees who will be reduced as soon as possible, but no later than two weeks following the approval of the School Board's budget by the Albemarle County Board of Supervisors or July 1, whichever is earlier.

D. Conferences with Employees Recommended for Reduction

1. Principals shall meet with any employee to discuss their recommendation to reduce that employee. Such conferences must be held as soon as practicable after the recommendation is developed.
2. The Superintendent/Designee shall meet with any employee, upon request, to discuss a principal's recommendation to reduce that employee, provided that a conference between the employee and principal has been held. Superintendent/Designee conferences must be conducted as soon as practicable.

3. Nothing in this section shall be construed to create any right or obligation other than the obligation to hold conferences as explained above.

III. CRITERIA FOR TEACHER AND LICENSED ADMINISTRATOR REDUCTION

In developing Reduction Plans for Superintendent review, principals shall determine which teachers will be reduced based on the criteria for Tiers One and Two as described below. The Superintendent’s designee shall determine which licensed administrators will be reduced based on the same criteria. Guidelines for applying these criteria are provided in Section III.C below.

A. Tier One Criteria

1. Seniority. For full-time service, seniority shall be measured as a numerical sum (“Seniority Score”) calculated by first multiplying the number of full-time years of service an employee has for each kind of qualifying service by the number stated in the “multiplier” column below, then adding each product. Years shall not be counted as more than one kind of qualifying service.

<i>Kind of Qualifying Service</i>	<i>Multiplier</i>
Continuous Service	4
Non-Continuous Service	3
Virginia Service	2
U.S. Service	1

- a. Seniority Calculation for Full-Time Employment. Years of service are calculated as follows:
 - i. Each complete school year of service shall be counted as one (1) year. Approved leaves of absence shall not cause a break in continuous service and shall not be counted for purposes of determining years of service.
 - ii. If the effective date of the employee’s contract falls *before* December 31 in a given year, one (1) full year of service shall be credited to the employee for purposes of measuring years of service. If the effective date of the employee’s contract is *after* December 31, one half (1/2) of a year shall be credited to the employee.
 - iii. All employees will be deemed to have one (1) year of continuous service for the current school year during which the Reduction Plans are developed in accordance with ii above. Example: for RIF Plans developed in February, 2011, all employees would receive one (1) year of Continuous Service for the 2010-2011 school year.

- iv. One-year hires, as defined by Section I.C. shall not be eligible to earn seniority points for any current or prior years of service, unless they were employed full-time in Division teaching or administrative positions in the year before the current school year, with no break in service, in which case they shall earn seniority points for all prior years of full-time service in accordance with Section III.A.1.
- b. Seniority Calculation for Part-Time Employment. Current full-time employees shall have any previous years of part-time employment only with the Division credited for seniority in the following manner: each year of part-time employment in the Division, whether continuous or non-continuous, shall be given one (1) seniority point. Current part-time employees shall not receive seniority points for the current school year, but shall earn Non-Continuous seniority points for any prior years of full-time service since the current hire date in the Division if: (i) the last year of such full-time service was within three (3) school years of the current school year; and (ii) there has been no break in service.
 - c. Seniority Calculation Examples.

Example A: A teacher with 3 years of Continuous Service, 10 years of Non-Continuous Service, and 1 year of Virginia Service would have a Seniority Score of 44 (12 + 30 +2).

Example B: A one-year hire teacher who did not hold a teaching position in the Division during the previous year would have a Seniority Score of 0 regardless of the employee's current or prior years of service as a teacher.

Example C: A current full-time teacher with 3 years of prior part-time Continuous or Non-Continuous Service would have a Seniority Score of 7 (4+3)

Example D: A current part-time teacher who served initially in the Division for 3 years as a full-time teacher, then served in a part-time position for the last 2 years, with no break in service, would have a Seniority Score of 9 (3 years of Non-Continuous Service).
- 2. Endorsements. Endorsements, as defined in Section I.A, will be evaluated in light of their necessity and value to the school. Relevant factors include, but are not limited to:
 - a. Experience teaching in the endorsement area and how recently that experience occurred;
 - b. Endorsement in areas that are difficult to staff; and

- c. Multiple endorsements that are necessary and valuable to the school.
3. Plan of Improvement. A current, active plan of improvement shall be given significant weight in favor of reduction. However, the following factors shall be considered in each case and may, based on the facts, be sufficient to overcome a recommendation for reduction:
- a. The employee’s work history before being placed on the current plan, including placement on any prior plans;
 - b. The nature and severity of the performance concerns identified in the plan; and
 - c. The degree to which the employee has succeeded in meeting the goals of the plan.

B. Tier Two Criteria

1. Special Skills and Training. “Special skills and training” are educationally valuable, objectively measurable accomplishments beyond the normal skills and training required for employee performance. In most cases, these should already be documented in the employee’s personnel file. All special skills and training will be evaluated in light of their necessity and value to the school. Representative examples include, but are not limited to:
- a. Secondary language proficiency relevant to a school’s student population and/or the Division’s curriculum;
 - b. Technological training or skills;
 - c. Mediation training;
 - d. Mandt training; and
 - e. Other experience/training working with specific student groups (e.g., at-risk students, advanced placement, etc.).
2. Educational Certifications and Honors. “Educational certifications and honors” are those certifications, honors and awards issued by national or state educational organizations for specific achievements. These will be evaluated in light of their necessity and value to the school. Representative examples include, but are not limited to:
- a. National Board Certification;
 - b. Recognition as State/National Teacher of the Year;
 - c. National Teacher Training Institute Certification;
 - d. Virginia NETS*T Certification;
 - e. National Association of Science Teachers Fellowship; and
 - f. Satisfaction of state requirement to teach dual-enrollment courses.
3. Contributions to Curricular and Extracurricular Programs. “Contributions to curricular and extracurricular programs” are educationally valuable, objectively measurable services given by an employee beyond those minimally required for the job, even though they may be performed during contract hours, such as serving in student organizations and athletics and engaging in leadership activities

in the school or school parent/community organizations. These will be evaluated in light of their necessity and value to the school.

4. Enrollment History in Elective Courses. Enrollment history for the past three school years will be evaluated if a reduction is being considered in elective courses or in positions which are primarily responsible for elective instruction.

C. Guidelines for Applying Reduction Criteria

1. Forms. Principals shall use standardized forms developed by the Superintendent/Designee for use in applying the reduction criteria. A form for each employee that has been considered for reduction, even if not proposed for reduction, shall be attached to the Reduction Plan.
2. Order of Reductions. Principals shall reduce one-year hires and part-time employees prior to reducing any full-time teacher, when there is a full-time teacher within the school who could fill the one-year hire's or part-time teacher's assignments.
3. Tier One Weight. Tier One criteria shall generally be given greater weight than Tier Two criteria. In order to propose the reduction of an employee with strong Tier One criteria over an employee with weaker Tier One criteria, principals must articulate convincing, fact-based reasons for the decision in their Reduction Plans.
4. Ties. Should the tier-based assessment of two or more employees yield identical or substantially identical results, principals shall reduce the employee with the lower Seniority Score.

IV. RECALL

- A.** Through these recall procedures the Division seeks to give reduced full-time employees priority over reduced one-year hires, reduced part-time employees and external employment candidates when filling vacant positions and to accommodate the unique needs of the schools and the individualized needs of reduced employees. When a school has a vacancy for which there is a qualified reduced full-time employee (excluding one-year hires) who applied for the position, no external candidate may be offered the position without the prior approval of the Superintendent/Designee. This is in effect for vacancies being filled by the first day of work for returning teachers.
- B.** A Recall List of all reduced employees will be provided to principals as soon as the Board approves the reductions. Reduced employees shall utilize the County's application system to express interest in posted job vacancies.

As vacancies occur within a school, principals will use the information from the Recall List and job applications to identify reduced employees to be screened. Reduced employees are expected to respond in a timely manner for screenings and interviews and

principals are expected to schedule meetings to minimize disruption to instructional responsibilities.

Only reduced full-time (excluding one-year hires) employees holding the appropriate endorsements who apply for vacancies within three (3) business days of posting will be guaranteed screenings. During a school year, principals are not required to screen candidates multiple times for the same or similar positions, but should consider the candidate each time a vacancy occurs. Reduced employees who apply after a position has been posted three (3) business days may be screened and/or considered at the discretion of the principal. Selection of reduced employees shall be based on the Tier One and Tier Two reduction criteria described in Section III in light of the Board's vision, mission, and goals. Principals may interview internal and external candidates concurrently; however, no offers may be extended to an external candidate without approval by Human Resources and the Superintendent/Designee.

- C.** Reduced employees may be recalled as "One-Year Hires" in accordance with Section I.C. An employee recalled to their previous school prior to the first day of work for returning teachers would not be classified as a one-year hire as long as it is not to replace a teacher taking a leave of absence or reassignment or a position with one-year funds.
- D.** Principals will not be obligated to screen reduced part-time employees and one-year hire employees; however, a principal may choose to screen those who appear to meet the needs of the school. Reduced part-time and one-year hires will be considered concurrently with other external applicants as decisions are being made for screenings and interviews.
- E.** Any reduced employee who is recalled after a break in service will be given a new hire date with Albemarle County and the benefits and terms associated with that date and job. The employees shall be credited with all years of Division service as a teacher and licensed administrator.

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