

REDUCTION IN PROFESSIONAL STAFF WORK FORCE
(Instructional Personnel)

In placing teachers on unrequested leave, the district will use the following procedures:

1. The decision will be based on the district's need for the position, not the employee who occupies that position.
2. When positions in a particular grade level, discipline or program are being reduced, probationary (nontenured) employees will be placed on leave before permanent (tenured) employees. No permanent teacher shall be placed on leave of absence while probationary teachers are retained in positions for which a permanent teacher is qualified.
3. A probationary employee who occupies a position to be eliminated will be considered for reassignment to other positions staffed by other probationary employees within the employee's area of specialization (for which they are certificated). Determination of who will be placed on leave of absence without pay will be made on the basis of performance-based evaluations and seniority within the field of specialization; however, seniority shall not be controlling.
4. Permanent employees holding eliminated positions will be placed in other areas of specialization (for which they are certificated) provided that the areas in which they are certificated are occupied by probationary employees. Those probationary employees may then be considered for alternative placement as determined by the individual's certification or else be placed on leave of absence. If all positions for which the permanent employee is certificated are filled with other permanent employees, the decision of who will be placed on leave of absence without pay will be made on the basis of performance-based evaluations and seniority; however, seniority shall not be controlling within the field of specialization.
5. No salary or fringe benefits will be paid or sick leave granted during an employee's leave of absence, except as provided by law. However, the number of accrued sick leave days, salary placement and tenure status will not be impaired during the leave period.

If the district has an unrestricted combined ending fund balance of more than ten (10) percent of current expenditures in its teachers' and incidental funds, and in the subsequent fiscal year the district, because of state appropriations, places a contracted teacher on leave of absence more than 40 days after the governor signs the elementary and secondary education appropriation bill, the district shall pay the affected teacher the greater of his or her salary for any days worked under the contract or a sum equal to \$3,000.

6. A teacher placed on leave of absence may engage in teaching or another occupation during the period of the leave of absence.
7. Any unrequested leave of absence without pay as implemented under these procedures shall continue for a period of not more than three (3) years, unless extended by the Board of Education.

Due Process

If it becomes necessary for the Board to place a certificated employee on leave of absence without pay, the employee shall be afforded due process as required by law, which may include the following:

1. A written statement that is reasonably adequate in expressing the reason(s) for placing the employee on leave of absence without pay.
2. A reasonably adequate description of the manner in which the initial decision was reached.
3. Information and data relied upon by the decision makers.
4. An opportunity to respond before the Board of Education.

Plan for Re-employment of Personnel Affected by Staff Reduction

In the re-employment of personnel affected by staff reductions through unrequested leaves of absence, the district shall be governed by the following procedures:

1. Permanent teachers shall be reinstated to the positions from which they have been given leaves of absence, or, if not available, to positions requiring like training and experience, or to other positions in the school district for which they are qualified by training and experience.
2. No appointment of new teachers shall be made while there are available teachers on unrequested leave of absence who are properly qualified to fill such vacancies.
3. These re-employment provisions shall not apply to probationary employees whose contracts are not renewed by the Board of Education. Nothing precludes the Board of Education from non-renewing a probationary teacher who is on leave of absence for reduction in force.

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Note: The reader is encouraged to review policies and/or forms for related information in this administrative area.

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Cole County R-I School District, Russellville, Missouri