

USEP COUNTER PROPOSAL #1
ARTICLE VII WORKING CONDITIONS
January 17, 2019

SECTION G - Reduction in Force

1. Should it become necessary to reduce the number of teachers in the District, the Board shall notify the union that such a reduction in force is required. Reductions shall be recommended only after all teachers on a probationary contract or with no summative evaluation rating have been released. No continuing contract or professional services contract teacher shall be reduced before an annual contract teacher holding the same certification. Annual contract teachers shall be reduced first as determined by the Superintendent unless special certification for a specific assignment is needed. In accordance with Florida Statute 1012.33(5), if a workforce reduction is needed, the District must retain employees within the school district based upon educational program needs and the summative evaluation scores of employees within the affected areas of assignment. Any required reductions will first be based upon teachers' most recent final summative evaluation rating. Teachers rated as "Unsatisfactory" shall be reduced first, teachers rated as "Developing/Needs Improvement" within the area of assignment being reduced shall be reduced next, teachers rated as "Effective" within the area of assignment being reduced shall be reduced third, and teachers rated as "Highly Effective" within the area of assignment being reduced shall be reduced last. The order of reduction within a given performance level shall be based upon experience in the district. Within the areas of assignment requiring reduction, the employee with the lowest summative evaluation score shall be the first to be reduced; the employee with the next lowest summative evaluation score shall be the next to be reduced; and reductions shall continue in a like manner until the needed number of reductions has occurred. The District may not prioritize the retention of employees based upon seniority.
2. ~~If continuing contract or professional service contract teachers are to be affected by a reduction in force, certification and seniority within the district shall be the controlling factors. Seniority for purpose of reduction in force as it affects continuing contract or professional service contract teachers shall be based on seniority going from the least senior to the most senior.~~
- 2.3. The Board shall maintain a list of teachers affected by a reduction in force ~~and who have a most recent summative evaluation rating of "effective" or higher~~ for a two (2) year period and will exhaust this list within the limits of certification before hiring new teachers for a two (2) year period. The Board will provide the Union with a copy of this list and regular updates. It shall be the duty of a teacher to ensure that the Board has current information regarding place of residence and telephone number. The Board shall rehire from the PSC and CC list based upon certification and in the reverse order of release the teachers' most recent summative evaluation scores seniority. Seniority being from the longest years of continuous service in the district to that of the least years of continuous service in the district.
- 3.4. Teachers shall be notified via telephone when a position has become available for which the teacher is qualified ~~in the judgment of the Superintendent~~. The District shall attempt to contact the teacher at least three (3) times per day over a three (3) day period. A busy signal shall not count as an attempt to reach the teacher. In the event a teacher cannot be reached after these attempts, he/she shall be placed at the bottom of the list and notified of this action by certified mail. In the event a teacher cannot be reached after following this procedure a second time, the Board shall be released from any future rehire obligations.
- 4.5. Once a teacher is offered a position, he/she shall have forty-eight (48) hours to accept the position. Should a teacher fail to respond within this timeframe or decline the position offered, the Board shall be released from any further rehire obligations.
- 5.6. Upon return to employment, the teacher shall be placed on the salary schedule and appropriate contract as if he/she were on an unpaid leave of absence.
- 6.7. Any teacher whose position is lost as a result of a reduction in force may apply for unemployment compensation benefits. The district shall not contest a teacher's application for such benefits. However, once a teacher has been offered a teaching position with the district, the district will notify the appropriate agency that the teacher has been offered employment.

For the Board

Date

For the Union

Date