

--	--

REDUCTION-IN-FORCE (RIF) POLICY

It is the policy of Tulsa Technology Center that when in the judgment of the superintendent it is in the best interest of the School District to consider a Reduction-In-Force (RIF) plan, the following shall apply:

- A. The Board of Education has the exclusive authority to approve or disapprove a RIF plan.
- B. The Superintendent will be responsible for recommending a RIF plan to the Board of Education in compliance with this policy.
- C. The need to reduce or eliminate programs or services and the positions in a program or service area will be the determining factors for recommending a RIF plan, not the individual who occupies a position.
- D. Any regular full-time employee whose employment is recommended for termination due to the implementation of a RIF plan will have the opportunity to receive a hearing before the Board of Education prior to the Board's decision on the recommendation.
- E. A Reduction-In-Force may affect any employee.
- F. A program review process will be followed when a Reduction-In-Force applies to Career Training Program FTE.
- G. The Board of Education may approve a RIF plan based on one or more of the following reasons:
 - 1. to uphold the Mission of the District;
 - 2. existing or projected diminished financial resources;
 - 3. existing or projected low enrollment in program(s); defined as below 60% of capacity
 - 4. existing or projected low program placement rates; defined as below 70% positive placement
 - 5. existing or projected lack of supply of qualified personnel;
 - 6. reorganization or change in District organizational structure;



- 7. existing or projected lack of need for a position;
- 8. existing or projected changes in labor market and/or economic conditions;
- 9. natural or human-caused disaster; or
- 10. other reasons subject to approval by the Board of Education

G. The RIF plan will consist of:

- 1. Identification and review by the Board of Education, programs and departmental operations where a business need exists to realign or restructure staff, possibly impacting the continued employment of certain regular full time employees.
- 2. Identification and review by the Board of Education, individuals who may possibly be impacted by said realignment or restructuring of certain programs or departmental operations.

H. Written procedures will be followed to implement a RIF plan for nonbargaining personnel. The Reduction-In-Force (RIF) procedures for employees who are members of a bargaining unit will be negotiated as a part of the bargaining unit agreement.

I. The decision of the Board of Education on a Reduction-In-Force (RIF) plan shall be final and non-appealable.

--	--

REDUCTION-IN-FORCE (RIF) FOR NONBARGAINING PERSONNEL

DEFINITIONS

Certain terms used in these procedures shall have the following meanings:

"Regular Full-Time Employee" shall mean an employee who has been approved by the Board of Education to fill a full-time position created by the Board of Education.

"Nonbargaining Employee" shall mean a regular full-time employee of the District who by the nature of his/her position is not eligible to be a member of a bargaining unit.

"Reduction-In-Force" shall mean action by the District Board of Education reducing the number of regular full-time employees, not on temporary contracts, in the District because of the adoption of a RIF plan that eliminates one or more positions.

"Reduction-In-Force Plan" (RIF Plan) shall mean a document which defines the programs or departments for which a reduction in the number of positions is recommended. The plan will include identification of the specific positions which are to be eliminated and the names of employees whose employment may be affected by implementation of the RIF Plan.

GENERAL

After the Board of Education approves a Reduction-in-Force Plan as specified in the Reduction-In-Force Policy, the Superintendent shall recommend to the Board of Education the non-renewal of employment contracts for impacted employees. The basis for the recommendation of nonrenewal shall be a reduction-in-force.

--	--

SECTION 1.0 CRITERIA-PERSONNEL AFFECTED

The following criteria shall be used to determine the regular full-time non-bargaining employee(s) to be affected by a reduction-in-force:

- 1.1 Volunteers or those who have communicated an intention to leave the employment of the District will first be considered in the RIF. If possible, these individuals will be included in the RIF plan, sparing others who otherwise may have been selected for non-renewal.
- 1.2 Part-time and temporary employees holding RIF targeted positions shall be reduced first, before regular full time employees.
- 1.3 Probationary employees who have not yet attained the required period of service in order to be subject to Board policy PER-4 for non-renewal of employment contract shall be next considered for reduction.
- 1.4 If a department, program, area or position being reduced is staffed by a single, regular full-time employee, the employee occupying that position shall be recommended for reduction.
- 1.5 For multiple-employee departments, programs, or areas which have positions that are substantially the same (such as assistant directors, industrial coordinators), the Superintendent shall consider the combination of all of the following factors and what is in the best interest of the District in determining who will be recommended for reduction:
 - 1.5.1 Employee performance in responsibility area.
 - 1.5.2 Expertise in the duties and responsibilities of the position.
 - 1.5.3 Experience in the occupation.
 - 1.5.4 Related formal education or training.
 - 1.5.5 Related professional development (workshops, seminars, etc.)
 - 1.5.6 Certification or licenses if required for the position.
 - 1.5.7 Length of regular full-time employment in the position in the District.
 - 1.5.8 Length of continuous regular full-time employment in the District.

--	--

SECTION 2.0 PROCEDURES FOR NOTIFICATIONS

In conformity with Oklahoma School Law, regular full-time non-bargaining employees, not on temporary contracts, who are to be recommended for reduction due to the implementation of a RIF Plan shall have the right to a hearing before the Board of Education. The following procedures shall be used:

- 2.1 The Superintendent or his/her designee shall give the employee written notice by Certified Mail-Restricted Delivery-Return Receipt Requested of the opportunity to have a hearing before the Board of Education and to present, either orally or in writing, reasons and evidence of why the employee should not be reduced.
 - A. The certified administrator shall have ten (10) workdays from the date of receipt of notification, to request a hearing before the Board.
 - B. The non-certified employee shall have ten (10) workdays from the postmark date on the above written notice to request the Hearing.
- 2.2 If the employee desires a hearing before the Board of Education, he/she must mail or deliver a written request for the hearing to the Clerk of the Board of Education within the ten (10) workday period. If the employee fails to take this action in a timely manner, he/she will be deemed to have waived his/her right to a hearing.
- 2.3 If the employee requests a hearing before the Board of Education, the hearing shall be conducted in open session at a next or next succeeding regular Board meeting or at a special Board meeting, no sooner than ten (10) workdays or later than sixty (60) calendar days after receipt of the employee's request.

SECTION 3.0 REDUCTION-IN-FORCE HEARING

- 3.1 If the employee requests a hearing within the time specified in Section 4.1, he/she shall be notified in writing by Certified Mail-Restricted Delivery-Return Receipt Requested, of the time, date and place of the hearing on the Reduction-In-Force before the Board of Education. The hearing shall not be conducted earlier than ten (10) working days after the mailing of the hearing notice to the employee.
- 3.2 The hearing shall be conducted by the Board of Education in open session during an official meeting.

--	--

- 3.3 The Superintendent or his/her designee will present a statement of the reason(s) for recommending the Reduction-In-Force.
- 3.4 At the conclusion of the statement by the Superintendent or his/her designee, the employee or his/her designee will be given the opportunity to make any statement to the Board of Education of any reasons why the recommendation for the Reduction-In-Force should not be approved.
- 3.5 Following the statements in 5.3 and 5.4 above, the Board of Education may convene in executive session to deliberate on the statements.
- 3.6 The Board will vote in open session by individual voice vote on the recommendation for the Reduction-In-Force.
- 3.7 The employee shall be notified by Certified Mail-Restricted Delivery-Return Receipt Requested of the Board of Education's decision.
- 3.8 The decision of the Board of Education at the hearing shall be final.

SECTION 4.0 REINSTATEMENT OF DEPARTMENT, PROGRAM, AREA OR POSITION

- 4.1 When a department, program, area or position is closed due to the implementation of a RIF Plan, and it becomes feasible to reopen the position, the Superintendent may make that recommendation to the Board of Education. In that event, the former regular full-time non-bargaining employee without previous documented poor performance or disciplinary history, released through the RIF Plan shall have first right of refusal in the reverse order in which they were released for a period of one (1) year from the date of actual reduction, provided he/she meets the job qualifications and competencies as specified in the position description.
- 4.2 An employee recalled to employment within the period of less than one year (365 calendar days) of the date of the dismissal shall retain previous service credit for vacation (if applicable). An employee returning to work within the same calendar year must retain the benefit elections made prior to dismissal, for the remainder of the calendar year.

SECTION 5.0 MISCELLANEOUS

All notices required herein shall be sent to the employee at his/her address shown in the District's personnel office. It shall be the responsibility of an employee to notify the District's personnel office in writing of any change of address