

LAYOFF/RECALL – ADMINISTRATIVE PERSONNEL

ADMINISTRATIVE REGULATION

General

This regulation is applicable to all licensed administrators below the rank of assistant superintendent.

The Board retains the right to determine when a layoff is necessary. Layoffs shall be by position. A reduction in hours does not constitute a layoff.

The superintendent or designee shall make recommendations to the Board regarding the position(s) which will be eliminated.

The Board will retain, consistent with ORS 342.934, the most capable and productive of the licensed administrative employees needed to carry out the approved programs of the district's schools.

Reduction in force shall comply with ORS 342.934.

Section I- Layoff Procedures

1. Administrative positions will be grouped by positions or assignments which the superintendent or designee determines are sufficiently comparable to use in the layoff process. Reductions will be made within the group, based on licensure, seniority, competence and merit, as defined in ORS 342.934.
2. The superintendent or designee will determine whether the administrators identified for layoff will be transferred to a vacant administrative position under the procedures of Section II below or given the choice of a classroom teaching assignment provided the administrator is licensed and qualified for the assignment.

Section II- Reassignments and Transfers

1. The superintendent or designee will review an administrator's personnel file, and shall determine if an administrator who will be laid off under Section I can be transferred to a vacant administrative position. Each transfer may be based on license, qualifications, merit, competence, special training, additional educational attainments, length of service, experience in or preparation for the new assignment and previous administrative positions held as determined by the superintendent or designee.

2. An administrator may voluntarily accept a classroom teaching assignment in lieu of a layoff.
 - a. The administrator may accept a classroom teaching assignment which is currently vacant and the administrator holds proper licensure.
 - b. If the administrator previously taught in the district, the administrator may be offered the opportunity to displace ("bump") a probationary or contract teacher with less seniority.
 - c. If the administrator never taught in the district, the administrator may be offered the opportunity to displace ("bump") a probationary teacher with less seniority.
3. An administrator who voluntarily accepts a classroom teacher assignment will thereafter be covered by the layoff/recall and other provisions of the collective bargaining agreement governing regularly employed teachers.

Section III- Recall

1. An administrator who is laid off under this procedure shall be placed in a recall pool. An administrator who resigns rather than accepts layoff or reassignment under this procedure forfeits rights to be placed in the pool.
2. An administrator will be maintained in the recall pool for a period of not more than 27 calendar months from the effective date of layoff. The administrator will be recalled to the position held prior to layoff if such a position becomes vacant during the 27 month period. Where there is no administrator on the recall list who held the vacant position immediately before layoff, any other administrator on the recall list may become an applicant for the vacant position and, if selected, will be placed in that position but will not give up recall rights to the position held immediately before layoff.
3. A laid-off administrator who rejects recall to a position offered by the district for which the administrator is licensed and qualified to perform and which is similar to the workday or work year of the person's previous position, thereby waives any further recall rights, and the administrator's employment terminates effective the date of rejection of the job offer.
4. Notification of recall will be delivered in person or deposited as certified mail, postage prepaid and addressed to the last known address of the laid-off employee. It is the responsibility of the administrator to ensure up-to-date mailing information is provided to the district. The individual shall be allowed 10 calendar days from the date of personal delivery or postmark to accept the position in writing. If the individual declines the recall or fails to accept within the 10-day period or fails to report for duty on the date specified in the recall notice, the individual's name will be removed from the recall pool. The individual will be considered to have resigned employment with the district and waived any further right of recall.

5. An administrator who wishes to remain eligible for reinstatement to a position requiring a license must maintain a valid license.
6. Individuals who wish to waive reemployment rights prior to 27 months subsequent to the effective date of a layoff may do so by written notification to the district. Such notice will be considered a voluntary resignation and the individuals shall forfeit all employment rights with the district.
7. Employees returning from layoff shall be credited with all seniority and sick leave the employee earned prior to the effective date of the layoff, but the employee shall not accrue leave, benefits or seniority during the period of the layoff.
8. An employee who has been laid off has the option of continuing the employee's health insurance program at the employee's expense for up to 18 months, subject to the approval and rules of the insurance carrier(s).
9. An employee must have completed at least 135 contract days during 1 school year in order to be eligible for 1 vertical step advancement for the succeeding school year. If, because of layoff, an employee does not complete at least 135 contract days that school year, the employee will be placed on the same salary schedule step as the employee was on prior to layoff.
10. Nothing in this regulation shall be construed so as to interfere with the district's right to dismiss an administrator, not extend the contract of an administrator or dismiss or nonrenew the contract of a probationary administrator pursuant to state law.

Section IV - Appeal Procedure

An appeal from a layoff decision shall be by arbitration pursuant to ORS 342.934(7).

Section V - Future Changes in Procedure

The district reserves the right to amend, revise or repeal all or any part of this procedure at any future time and no employee shall have any vested right in the continuation of this procedure or any amendment thereof, provided, however, that no amendment or repeal of this procedure shall prejudice the reinstatement rights of any individual who is in the "recall pool" at the time these procedures are amended, revised or repealed.

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