

JUSTIFIABLE DECREASE IN TEACHING POSITIONS

It is the responsibility of the School Board to provide the staff necessary for the implementation of the educational program of the MSD of Wayne Township and the operation of the schools and to do so efficiently and economically.

The Board reserves the right to decrease the number of teaching positions whenever reasons of decreased enrollment of students, return to duty of regular professional staff members after leaves of absence, closing of schools or territorial changes affecting the District, or other good cause warrant.

A justifiable decrease in teaching positions, herein called RIF, occurs when a teacher's employment with the District is ended due to a reduction in the number of teaching positions.

Statutory procedure and notice requirements for cancellation of teaching contracts will be followed when the Superintendent determines that RIF is necessary.

Discussion of the proposed RIF will occur according to the requirements of Indiana law. This is not intended to give any additional rights to any teacher whose contract would not have been renewed, or whose contract would have been terminated regardless of the RIF if the teacher has been rated "improvement necessary" or "ineffective" on at least one of his/her last two formal evaluations. In a case where a teacher has been on a Professional Improvement Plan within twelve months of implementation of the RIF, the administration reserves discretion to exclude that teacher from recall, even if the teacher's more recent evaluation(s) rate him/her highly effective or effective.

As much as possible, normal teacher attrition including teachers retiring, resigning or on approved leave will be used to accommodate required teacher reduction.

A teacher on leave of absence shall be eligible for release as a result of a RIF.

The following procedure will first be applied only to probationary and professional teachers in the school, facility, program, or department ("area") to be reduced when the area to be reduced has both established teachers and probationary and/or professional teachers assigned to it. If the area being reduced has only established teachers assigned to it, or if all probationary and professional teachers in the area are already subject to reduction and more reductions are needed, the procedure will then be applied to established teachers in the area to be reduced. An established teacher who is licensed in another content area cannot be subject to the reduction in force if the established teacher is able to replace a probationary or professional teacher in that license area.

Selection among teachers will be made according to performance. Performance shall be determined by objective standards (ratings) as found on the teacher's most recent formal evaluation. The administration shall use overall ratings, e.g. "highly effective", "effective", "improvement necessary" and "ineffective" as shown on teachers' most recent evaluation to determine the order of RIFing. Whenever possible, a teacher who has received a lower rating on his/her last formal evaluation shall be RIFed before teachers receiving higher ratings are RIFed. If the question of who will be RIFed comes down to two teachers and they have equal ratings on their most recent evaluation, the Administration will RIF the teacher who has a lower rating on

the next most recent evaluation and so on until the lower rated teacher is determined by a subsequent evaluation or until one teacher no longer has a previous evaluation to review. In the latter case, the teacher who no longer has an evaluation to review will be RIFed. If both teachers remain equally rated and neither one has another evaluation to review, the Administration will then consider instructional leadership and academic needs of students. Except as noted above that teachers rated improvement necessary or ineffective will not be subject to recall, RIFed teachers shall be subject to recall to the same or similar position from which they were RIFed in reverse order of their RIFs (with the most recent RIF being the first to be called back). If the administration exercises its discretion regarding teachers who have been on a Professional Improvement Plan within twelve months of implementation of the RIF, as noted above, by electing not to place such a teacher on the recall list, it will inform the teacher in writing at the time the teacher is notified he/she is being RIFed. Written offers of recall shall be sent to the eligible teacher at the teacher's last known home address when the Administration determines it has such a position available or coming available for that teacher. A teacher shall have up to seven (7) calendar days to notify the Administration in writing of his/her acceptance of the offer of recall and no less than fourteen (14) calendar days from receiving such an offer to report to work, time, place, and date to be determined by the Administration. Any teacher who fails to timely respond to such an offer or declines such an offer shall forfeit any further right to recall. Except as noted below, a teacher's right to recall shall terminate upon his/her recall, failure to answer a recall, refusal to accept a recall, or at the end of a period of time equal to the number of years the teacher taught for the District plus three months, whichever comes first. The exception to this is that if during an interview following a teacher's answer to the recall notice, the teacher and the administrator carrying out the interview agree that it is in the interests of the teacher and the District for the teacher to decline the recall, the teacher may do so in writing. In this case, the teacher shall remain on the recall list for subsequent recall.

IC 20-28-7.5-1(d)

MSD of Wayne Township, Marion County, Indiana

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