

Book	Policy Manual
Section	3000 Professional Staff
Title	Revised Policy - REDUCTION IN FORCE ("RIF") IN CERTIFICATED STAFF
Code	po3131
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### **3131 - REDUCTION IN FORCE ("RIF") IN CERTIFICATED STAFF**

It is the responsibility of the Board of Managers to employ and retain the certificated staff necessary for the effective and efficient implementation of its educational program and the safe operation of its schools.

The Board shall eliminate certificated positions and reduce the number of certificated staff when the Board finds that curricular changes, changes in enrollment, return to duty from leave of a certificated staff member, closing of schools, territorial changes, fiscal reasons, or other good cause warrants.

#### **Consideration of Alternatives to RIF:**

Prior to undertaking a RIF, the Board shall attempt to make adjustments in teaching through:

- A. Voluntary retirement
- B. Voluntary resignations
- C. Voluntary transfer of existing staff
- D. Leaves
- E. Cancellation of teachers' contracts for other statutory reason(s)

#### **Discussion Prior to RIF:**

Discussion shall be held with the exclusive representative of the Cooperative's teachers prior to any RIF for the purpose of discussing any proposed reduction in the certificated staff.

#### **Procedure for RIF:**

As required by I.C. 20-28-7.5-1(d), once the positions to be eliminated are identified by the Board,

the certificated staff members to be dismissed shall be identified on the basis of licensure and merit not years of service or seniority unless Indiana law dictates otherwise.

As used in this policy, "licensure" means the scope of the license issued by the Office of Educator Licensing and Development in the Indiana Department of Education, and "merit" means a performance category assigned to an educator pursuant to I.C. 20-28-11.5, i.e. "highly effective", "effective", "improvement necessary" or "ineffective". Where two (2) certificated staff members are in the same performance category and are required by law to be RIF'd based upon merit, one or more of the following factors may be considered to identify the staff member to be terminated:

- A. The academic needs of students in the Cooperative.
- B. The results of an evaluation conducted under I.C. 20-28-11.5.
- C. The possession of either additional content area degrees beyond the requirements for employment; or additional content area degrees and credit hours beyond the requirements for employment, **if required under an agreement bargained under I.C.20-29.**
- D. The assignment of instructional leadership roles, including the responsibility for conducting evaluations under I.C. 20-28- 11.5.
- E. The number of years of a teacher's experience

Certificated staff members selected to be terminated pursuant to this policy shall receive the initial notification of possible contract cancellation required by law between May 1st and July 1st preceding the proposed cancellation of their contract with the Board.

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Legal I.C. 20-28-7.5-1(d)  
I.C. 20-28-7.5-2(a)(2)  
I.C. 20-28-9-  
1.5(b) I.C.  
20-28-11.5  
Elliott v. Board of School Trustees of Madison Consolidated Schools, No. 16-4168 (7th Circuit Dec. 4, 2017)