

Hampton School District Policy	Section: <u>G</u> Code: GCQA Title: Reduction In Instructional Staff Work Force Category: Recommended Page: 1 of 2
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REDUCTION IN INSTRUCTIONAL STAFF WORK FORCE

When the Hampton School Board finds it necessary to reduce the number of certified full-time and/or part-time positions for reasons of declining enrollments, budget reduction, change in or consolidation of Board-authorized programs, or for any other reason determined necessary or desirable by the Board, the following reduction-in-force policy will be implemented:

A. Notice:

1. As soon as a reduction in force is seriously contemplated, the Superintendent shall notify the President of the Seacoast Education Association. For the purposes of this policy, classifications are defined as follows:

- Pre K through 2nd grade;
- 3rd through 5th grade; and
- 6th through 8th grade

2. The decision to implement the reduction in force shall be made at the sole discretion of the School Board.

B. Procedures for Determining Reduction in Force:

1. If reductions in staff are necessary or desirable, the Board should retain those teachers who, at its sole discretion, will be the best teachers for the school system and the students it serves.

2. The Board does not condone “bumping.” The best teachers shall be retained, regardless of whether the teacher is probationary or not. A teacher with more than five years of employment in the District shall not have the right to displace another teacher with less than five years of service in the School District.

*3. In identifying which teachers to release, the Board shall consider the following factors: certification; academic preparation; professional growth; job performance; experience in certified area and/or job classification; ability and overall effectiveness. All of the factors being equal, then seniority may be considered in making the final determination. Seniority is defined as the total number of years continuously employed in this School District.

Adopted:	DATE: November 9, 2010, Mar. 28, 2012
Reviewed:	Sept. 2010, Jan. 9, 2012
Revised:	
Cancellation:	

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4. There will be no recall rights for terminated employees. Recall rights are subject to the collective bargaining.

5. Any recommended transfer for the assignments, or re-assignments resulting from or involved with a reduction in force will be made at the sole discretion of the Superintendent. In the event of a change of assignment or transfer as a result of the reduction in force, the teacher involved shall be notified of such change.

6. This reduction-in-force procedure is the only procedure that may be used in a reduction in force. No other personnel action, other than a reduction in force, may be considered under this policy.

*7. A reduction-in-force will not be grievable under the collective bargaining agreement grievance procedures unless specifically allowed under the terms of the agreement.

* This policy is subject to local collective bargaining agreements and the reduction-in-force provisions contained therein. Please note that SB 196, effective July 1, 2011, amends RSA 189:14-a, III to state "In cases of nonrenomination or nonreelection because of reduction in force, the reduction in force shall not be based solely on seniority." Additionally, SB 196 amends RSA 273-A:4 in part to state "No grievance resulting from the failure of a teacher to be renewed pursuant to RSA 189:14-a shall be subject to arbitration or any other binding resolution, except as provided by RSA 189:14-a and RSA 189:14-b.

Note: Use only in absence of such a provision in a Collective Bargaining Agreement.

Legal References:

RSA 189:14-a, Failure to be Renominated or Reelected

RSA 273-A:4, Grievance Procedures

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