

REDUCTION IN FORCE OF NON-CERTIFIED PERSONNEL

In the event it becomes necessary to reduce the number of non-certified staff employed by the School System due to a decrease in student enrollment, financial exigency, changes in curriculum, consolidation, or reorganization. The following procedure shall be followed to determine staff members to be affected:

Procedure

1. Attrition by resignation, retirement or voluntary leaves of absence shall be the first method to reduce the force.
2. Based on the philosophy of maintaining the best educational program possible, the Board, upon recommendation of the Superintendent, shall identify the work area(s) and work site(s) from which staff members are to be reduced in force at respective times. For the purpose of reduction in force, the following items are defined:
 - a. Work Areas - Child Nutrition personnel, custodians, secretaries, bookkeepers, maintenance, bus shop personnel, and teacher aides.
 - b. Work Sites -
Central Office to include: Child Nutrition personnel, bus shop personnel, bus drivers, secretaries, bookkeepers, maintenance.

Local schools to include: Child Nutrition personnel, custodians, secretaries/bookkeepers, and teacher assistants.
3. Following the identification of the work area(s) and work site(s), the number of staff to be reduced from each area(s) and site(s) will be determined by the Board, based on a recommendation by the Superintendent. All staff members within the identified work area(s) and site(s) will be rank ordered from greatest amount of service time as a non certified employee to least amount of service time within the School System. The staff member(s) with the least amount of continuous service time (seniority), based on actual date of employment as a non-certified employee as reflected in the Board minutes, shall be the first to be reduced in force. In the event two or more staff members have the same amount of continuous service time within the School System based on Board minutes, the following additional criteria will be used to determine the order of reduction in force:

- a. Formal education attained by the staff member (the staff member with the least amount of formal education to be reduced first).
 - b. Total years of work related experience as a non-certified employee (the staff member with the least number of years experience to be reduced first).
4. In order for a staff member selected to be reduced in force by these procedures to displace a staff member in the same work area at another work site with less service time, said staff member must be capable of handling the entire position of the employee they seek to displace and must submit a written request for such transfer within five (5) days after receipt of the notice of reduction in force. The rank order list shall be available for review at the Central Office. If the above qualifications are met, the selected staff member could fill a vacant position. If no vacancies exist, the selected staff member would have the option to displace the lowest ranked staff member within the work area and work site in which they are qualified to handle.
 5. The names of non-certified personnel reduced in force shall be placed in a School System employment pool. Said personnel shall be given the opportunity in reverse order of their layoffs to fill the first comparable employment vacancies for which they are qualified.
 6. Provided personnel in the employment pool are recalled, they shall be issued a letter of reappointment by registered mail at least fifteen (15) work days prior to the date of re-employment. Said personnel must accept the offer of re-employment in writing by registered letter within five (5) days of receipt of the offer.
 7. It is understood that reduction in force constitutes termination of employment and all benefits provided by the School System ceases on the effective date.

SOURCE: Marion County Board of Education, Hamilton, AL

ADOPTED: April 21, 1995, REVISED 9/15/2010

LEGAL REF.: The Code of Alabama, 16-11-18, 16-12-5; Attorney General's Op., Jul. 1, 1986.