

## APPENDIX C -- REDUCTION-IN-FORCE

In accordance with Article XXVIII, Ratification and Final Disposition, it is understood and agreed to by the parties that, pursuant to discussions between the Board and the Union (if it is necessary to effect a reduction-in-force), the following personnel guidelines and procedures will be implemented:

- A. Seniority exclusively in accordance with affected subject areas/programs on a county-wide basis, shall be utilized to determine which members of the UTD bargaining unit are to be laid off and recalled.
- B. These guidelines and procedures shall apply to all positions held by teachers in the UTD bargaining unit.
- C. Source of funding for positions, as well as categorical or discretionary designation, will not be factors in determination of seniority.
- D. A joint Board/Union committee is herein established and empowered to make recommendations to the Superintendent regarding the disposition and resolution of any and all problems attendant to the implementation of these reduction-in-force procedures including, but not limited to, exemptions, exceptions, and disputes regarding seniority rankings utilized for layoff and recall. This committee shall be composed of three members designated by the UTD and three members designated by M-DCPS and shall operate in accordance with established procedures for the term of the Contract.
- E. A layoff may occur whenever the Board deems necessary.
- F. The Board shall determine the net positions to be reduced countywide, the subject area/programs in which layoff shall occur, and the number of positions in those areas/programs to be reduced, pursuant to discussions of the joint Board/Union committee. The Board's decision on these items shall be final and not subject to grievance or arbitration.
- G. When the total number of teaching positions is reduced by allocation, those unit members to be laid off by the Board in those positions, except as excluded herein, shall be as follows:
  - 1. If a layoff is necessary in a subject area/program during the regular school year, interim teachers in that area/program shall be terminated. Interim teachers shall have no recall rights.
  - 2. All teachers who are teaching in an affected subject area/program, under the provisions of a temporary certificate, which expires on June 30 of the school year of a layoff and who have not completed the requirements for a new certificate covering their assignment and furnished evidence of applying for a valid certificate prior to June 30, will be laid off first.
  - 3. The least senior teachers in each subject area/program shall, then, be laid off unless prohibited, or otherwise specified, by federal law and/or regulations.

## APPENDIX C (cont.)

- H. Teachers who are administratively assigned out-of-field or who are assigned out-of-field, pursuant to their request, shall have their seniority determined on the basis of the subject area/program for which they are fully certified, except in those instances where out-of-field employees have achieved credits to become certified since being assigned out-of-field. In the event credit toward certification in the out-of-field assignment is underway, pursuant to the provisions of State Board regulations, the employee's seniority shall be determined on the basis of the subject area/program to which he/she is assigned at the time of layoff.
- I. Teachers who possess certification in multiple areas shall have their seniority determined on the basis of a subject area/program for which they are certified, which is not being reduced and, if more senior, such employees shall not be subject to layoff.
- J. Any subject area/program category not listed, but which includes positions held by employees in the UTD bargaining unit, is hereby incorporated and definitions of such categories shall be established by the joint Board/Union committee authorized herein.
- K. Teachers who are laid off will be placed in subject area/program recall pools effective the first day of the layoff. Each recall pool will be divided into two sections. Section One will consist of teachers who possess a valid regular certificate reflecting a Bachelor's degree or higher. Section Two will consist of teachers who possess a valid temporary certificate reflecting a Bachelor's degree or higher. Teachers in Section One of the recall pool will be recalled first over teachers in Section Two of the recall pool.
- L. Teachers will be recalled in each subject area/program on the basis of inverse seniority (most senior first).
- M. Seniority is defined as a total of all contractual service as a teacher in M-DCPS.
- N. Ties in seniority ranking will be broken by the following methods and in the orders listed below:
  - 1. credit for the number of teaching years outside Miami-Dade County but inside the State of Florida;
  - 2. highest earned degree: Doctorate over Specialist; Specialist over Master's; Master's over Bachelor's.
  - 3. credit for teaching years outside Florida; and
  - 4. randomized procedure of selection mutually agreed to by the parties.
- O. Teachers in a recall pool who do not accept the position offered within five days of the recall notice will be eliminated from further consideration regardless of seniority. Every reasonable effort will be made to contact teachers at their last known address. Written communication to these employees shall be in the form of certified mail, return receipt requested.

APPENDIX C (cont.)

- P. If a vacancy exists which cannot be filled from the appropriate subject area/ program recall pool, the vacancy shall be filled as follows:
1. Employment preference shall be given to properly qualified, certified paraprofessionals.
  2. If positions are not filled from 1. above, consideration shall be given to qualified teachers from the aggregate pool.
  3. Positions not filled from 1. and 2. above shall be filled by certified, qualified applicants.
- Q. Teachers, unless called earlier, will remain in the pool for the term of this Contract.
- R. Categories of subject areas/programs are hereby established as follows:
- Art (K-12)
  - Bilingual Education Elementary (Spanish S, Spanish EL, SL, BCC/CCHL)
  - Business Education
  - Driver Education
  - Elementary (Pre-K-K, 1-6, ESOL)
  - English, Speech, Drama, Journalism, ESOL
  - Special Education by area of certification
  - Foreign Language by area of certification
  - Home and Family Living
  - Technology Education
  - Library/Media Specialists
  - Mathematics (Middle School, 9-12)
  - Music Education (Elementary, Vocal, Band, Orchestra, Keyboard)
  - Occupational Specialists
  - Occupational Therapists
  - Physical Education (K-8, 7-12)
  - Physical Therapists
  - Psychologists
  - Reading
  - Science by area of certification
  - Social Sciences
  - Student Services (Counselors, School Social Workers)
  - Vocational by area of certification
- S. The employees who hold positions for which there is no required certification or alternate form of certification shall have their seniority determined on the basis of subject area(s)/program(s) for which they are certified.
- T. Employees in the UTD bargaining unit who hold positions as Adult General Basic Education and/or Adult General High School teachers shall be included in the appropriate subject area/program category and seniority shall be determined accordingly.