

Malheur Education Service District

Code: **GCPA-AR**
Revised/Reviewed: 3/17/09; 7/15/14
Orig. Code(s): GCPA-AR

Layoff/Recall – Licensed Staff

The administration will maintain data on enrollments and programs in an attempt to anticipate areas that may become over staffed. This may result in minimum class loads or a decision to discontinue certain programs. The Board will make the final decision on the value of programs to be kept, cut or eliminated.

The administration may attempt to reduce nonsalary expenditures; however, short term savings, i.e., repair and maintenance, may result in larger, long-term expenditures.

If possible, natural attrition as well as transferring of staff will be used as first measures. Cuts in contract lengths or cuts in salaries will also be examined.

The Board will determine when staff layoffs become necessary. Affected employees shall be notified within a reasonable time.

In determining teachers to be retained when layoffs occur, the ESD shall:

1. Determine whether teachers to be retained hold proper licensure at the time of layoff;
2. Determine competence and merit of teachers;
3. Determine length of service of teachers to be retained.

The ESD shall not waive the right to consider competence in making decisions about staff layoffs or recall of staff. Retained teachers will be licensed and qualified, as defined in Oregon statutes, for the positions they fill.

Licensed Support Personnel-Media Specialist, Music, P.E., Counselor, Etc.

If the Board determines that a support program should be eliminated the following shall occur:

1. If the licensed teacher is properly licensed as a classroom teacher and meets the definition of competence, he/she shall be considered a classroom teacher;
2. If the licensed teacher is not properly licensed as a classroom teacher he/she will be considered only for that position for which he/she is licensed, competent and qualified.

Recall

If a teacher is laid off he/she shall notify the administration in writing of the position for which he/she wishes to be recalled.

A teacher who is laid off will remain on the layoff list and be eligible for recall for 27 months from the date of layoff. No new teacher shall be hired to any position until all laid-off employees who are licensed, fully qualified and competent for the position have been given an opportunity to accept the position.

The ESD shall notify laid-off employees of a position opening by registered letter, return receipt requested, at their last known address. Laid off teachers shall have 7 calendar days from receipt of such notification in which to indicate their acceptance or rejection of the position and an additional 14 days from date of acceptance in which to begin active employment unless otherwise mutually agreed upon.

If the teacher cannot be reached at his/her last known address, or if he/she rejects any position offered for which the teacher is licensed, qualified and competent, he/she shall forfeit all recall rights. Teachers who wish to waive reemployment rights may do so by written notification to the ESD.

Employees returning from layoff shall have all previously accrued sick leave and seniority reinstated, but shall not receive benefits for the period of the layoff.

Teachers will have recall rights for a maximum of 27-month period. If they choose, staff members on layoff may keep up their institutional insurance and health plans by paying their own premiums as prescribed by law, subject to the rules of the insurance carrier.