
ARTICLE 9—REDUCTION IN FORCE

- 9.01 A reduction in force shall be defined as a reduction in the number of district-wide budgeted positions in one or more teaching areas (i.e. Math, Guidance, Early Childhood, Elementary Education, Specific Learning Disabilities, Physical Education, Art) which would result in one or more EMPLOYEES being terminated involuntarily.
- 9.02 In the event that the SUPERINTENDENT determines that a reduction in work force (RIF) is necessary, written notice shall be given to the ASSOCIATION of the positions by teaching areas and the names and school assignments of those individuals to be released. Unless emergency conditions exist, such notice shall be provided not less than five (5) days prior to the BOARD taking action on the recommendation of the SUPERINTENDENT.
- 9.03 If a reduction in force is needed, the Superintendent will retain EMPLOYEES at a school or in the school district based upon educational program needs and the performance evaluations of EMPLOYEES. In this subsection, "performance evaluation score" refers to the average of the three most recent consecutive final evaluation scores (or fewer if three consecutive evaluations are not available) received in the Collier Teacher Assessment Model (CTEM). Within the program areas requiring reduction, EMPLOYEES with no recorded CTEM performance evaluation would be the first to be released. If reductions are still necessary, the EMPLOYEE with the lowest average evaluation score will be the next to be released; the EMPLOYEE with the next lowest average evaluation score will be the next to be released; and the reductions shall continue in a like manner until the needed number of reductions has occurred.
- 9.04 Recall:
- The following procedures shall be followed:
- a. The BOARD and the SUPERINTENDENT shall determine the teaching areas in which recall will be made and the number of EMPLOYEES to be recalled.
 - b. Recall will be implemented using the criteria for reduction in force except in reverse order. Recall notice shall be made by certified letter to the EMPLOYEE's last known address.
 - c. No new EMPLOYEES shall be hired in a released EMPLOYEE's teaching area until all certified and fully qualified released EMPLOYEES of that teaching area with a performance evaluation of Highly Effective, Effective, or Developing have been recalled or have declined or failed to accept recall within one week of that mailing date. Failure to respond to the letter of recall within the time required automatically terminates the EMPLOYEE's rights of recall.
 - d. EMPLOYEES shall lose their seniority as a result of their:
 1. Termination
 2. Retirement
 3. Resignation
- 9.05 Any EMPLOYEE who would have qualified for retirement during the reduction in force shall continue to be employed by CCPS that year so as to acquire needed service.
- 9.06 For the purposes of this article, in determining district-wide seniority, service shall not be deemed to have been interrupted by any leave granted and approved pursuant to this AGREEMENT and/or BOARD policy.
- 9.07 This article does not apply to EMPLOYEES who are being non-renewed or terminated for any reason other than a reduction in force.
- 9.08 If legislative repeal of Florida Statutes impacting reduction in force occurs, then the School Board and CCEA agree to revert to the 2011-12 original contract language for Article 9.
- 9.09 If legislative changes of Florida Statutes impacting reduction in force occurs, then the School Board and CCEA agree to immediately return to the table to negotiate the impact.