

REGULATION

BAYONNE SCHOOL DISTRICT

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CONDUCT OF REDUCTION IN FORCE

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A. Seniority lists

In order to determine the teaching staff member(s) affected by a reduction in force, a seniority list will be prepared for each seniority category. The Superintendent or his designee will

1. Determine the category or categories of employment in which each teaching staff member has served by reference to positions held and qualifying certification.

2. Determine whether the member has earned tenure in the district and in the position in which the category falls, in accordance with N.J.S.A. 18A:28-6. Tenure is earned in the positions of assistant superintendent, principal, assistant principal, vice principal, supervisor, educational services personnel, school nurse, and teacher.

3. Calculate length of service in each category within a tenure position in which the employee has earned tenure.

a. Length of service may be expressed in calendar months and days or in calendar years and portions of years, to two decimal places.

b. Length of service commences from the day on which the employee began service in the category and ends with the end of the current school year or, in the case of previously rified employees, the day on which the employee's district service was terminated.

4. Deduct from time of service in the category any periods of unpaid absence taken for any purpose other than study or research, except that the first thirty days, consecutive and aggregate, of such unpaid absence taken within any one school year will not be deducted.



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5. Add periods of prior active military service, to a maximum of four years, to the member's length of service in the first category of district employment. Each full year of military service equals one year of seniority; a fraction of a year, ten months or longer, equals one year of seniority for a ten month employee.

6. Enter the total amount of service for the member's initial category of employment.

7. If the member has been transferred to a second category or successive categories, calculate the service time of each category in accordance with ¶A1 through ¶A4 and enter separately.

a. Service in succeeding categories is included in the member's seniority in each earlier category.

b. Each seniority list must clearly indicate the category or categories in which the member has earned seniority and the total accrued time in each.

B. RIF procedures

1. Determine the category or categories of employment to be reduced in number in a reduction in force.

2. Transfer or dismiss nontenured teaching staff members in the reduced category, in accordance with Policy No. 3146.

3. If no nontenured member remains in the category, the least senior tenured member shall be transferred to a previous seniority category in the same tenure position over a nontenured member or a less senior member in that category.

4. If there are no positions within his or her seniority categories in the same tenure position to which the member may be transferred, the member shall be transferred to a position outside his or her seniority categories but within the same tenure position, provided the member is appropriately certified



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for the position and the position is held by a nontenured employee.

5. If there are no positions to which he or she can be transferred by right of seniority or tenure in the same tenure position, the member shall revert in reverse chronological order to each seniority category and tenure position in which he or she was previously employed in the district.

6. When there are no positions which the tenured member affected by a reduction in staff can claim over other tenured employees by superior seniority or over nontenured employees by tenure, he or she shall be dismissed, shall receive sixty days notice of such dismissal or pay in lieu thereof, and shall be placed on a preferred eligible list for each category in which he or she was employed by the district.

C. Sample Motion

In order to apply this procedure to dismiss an employee in a reduction in force, fill blanks with appropriate information as explained in "Notes" at the end of this motion; material that is bold faced and [bracketed] should not be included in any motion of the Board.

Move that the Board of Education dismiss [9]_____ as a result of the abolishment of the position of [11]_____ and place [9]_____ on a preferred eligible list for the seniority category of [11]_____, effective [6]_____ and direct [8]_____ to inform the employee of his or her seniority status.

D. Notes to Sample Motions

1. Number of positions in any one job classification for example, four elementary classroom teachers.



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2. If position is full-time, enter full-time; if position is not full-time, enter the fraction or percentage of full-time, for -example: part time-fifty percent.
3. Title of certificate endorsement required to hold relevant instructional or educational services positions or name of administrative position. Use titles provided by the State Board of Examiners for recognized positions or those approved by the County Superintendent for unrecognized positions.
4. Name of school or schools or of the office to which assigned; this entry will establish an historical record of the employee's type of service.
5. Grade or grade levels to which assigned.
6. Date by day, month, and year.
7. Title of unrecognized new position; recognized position titles are enumerated in the Regulations and Standards for Certification, Twenty-second Edition, 1976, issued by the State Department of Education.
8. Title of district official responsible for performing this duty.
9. Name of employee.
10. Fill blank with dollar amount or indicate payment on a particular salary guide or payment at an hourly rate.
11. Seniority category subject to the reduction in force; e.g.: Art Teacher Elementary or Art Teacher Secondary or Art Teacher District Wide.
12. Reason for leave of absence; e.g.: maternity, health, study, etc.



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