

**STAFF REDUCTIONS**

All provisions and terms related to staff reductions shall follow New York State Education Law and conditions as outlined in Collective Bargaining Agreements. The Superintendent of Schools will assign all applicable duties related to this charge to a designee in the Human Resources Department at South Colonie Central School District.

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**STAFF REDUCTIONS REGULATION****A. Computation of Seniority**

Seniority of probationary and tenure teachers and/or administrators/supervisors will be computed from the date of the commencement of service within a tenure area. In the event service commences on the same day for two or more teachers and/or administrators/supervisors, the person with the earliest date of appointment will be the most senior.

1. Seniority is accrued only for continuous service in the specific tenure area of appointment.
2. Leave granted by the Board of Education with pay is not an interruption of service during a probationary or tenured appointment nor is such a leave an interruption of service if, during the leave, the teacher is a full-time employee of the school district in any teaching or administrative capacity. However, leave during which the teacher is a full-time employee of the school district in another capacity shall not be credited towards seniority in the original area of continuous service.
3. Leave granted without pay by the Board of Education is not an interruption of service. However, the time of such unpaid leave shall not be credited toward seniority.
4. Seniority within a specific tenure area may only be accrued by full-time teachers and administrators/supervisors and for the rendering of full-time service.

**B. Establishing Preferred Eligibility Lists**

1. The person with the least seniority in terms of total years of continuous service in the South Colonie Central Schools in that tenure area will lose the position and the person's name will be placed on a preferred eligible list of candidates for appointment to the next vacancy in that tenure area.
2. Reinstatement to a position in that tenure area where the position has been abolished will be made in the order of the person's length of continuous service as a teacher, administrator/supervisor.

**C. Cumulative Tenure Areas**

1. If a person previously held tenure in a different tenure area, and if the person's present position is abolished, the individual shall be transferred to such other tenure area in which seniority held is longest and shall be retained in such area. If there is a professional educator having less seniority in such other tenure area, this individual is junior in service in such second tenure area and transfer shall be in succession, in order of length of service, to each of the areas in which tenure has been acquired or probationary status conferred and shall be retained in any such area if there is a professional educator in such area having less seniority.

2. If the person whose job has been abolished is not placed in any other tenure area, the individual will be placed on a preferred eligible list in each area where tenure or probationary service occurred according to length of service in each area.
3. If a position or program is abolished, the teacher or administrator/supervisor affected will be given preference in filling any available position for which the person qualifies.

**D. Procedures for Informing Persons Whose Positions Have Been Abolished**

1. The Superintendent, or designee, will notify the teacher or administrator/supervisor in writing that the person's position has been abolished, the teacher or administrator/supervisor services in that tenure area terminated, the effective date of the termination, the person's placement on the preferred eligible list and the rights of the teacher or administrator/supervisor under section C above. Appropriate notification will be given to the person's immediate supervisor and other personnel affected.
2. The Board of Education will be requested to take official action on the specific individuals affected by staff reductions as soon as possible after the decision to reduce staff.
3. Persons whose positions have been abolished will be placed on the appropriate preferred eligible list.
4. A teacher and/or administrator whose services are discontinued in accordance herewith shall remain on the preferred eligible list for seven (7) years from the date of abolition of the position.
5. When vacancies do occur in the tenure area, persons on the preferred eligible list will be notified of the vacancy. That person will inform the Personnel Office in writing within six (6) school days concerning the acceptance or rejection of the position as presented. The person must be available to assume the open position with thirty (30) days following notification by the Superintendent, or designee, of the opening. If the person is not available to assume the position within the time limits specified, the person's name will remain on the preferred eligible list. Refusal to accept a part-time position is not sufficient basis for deletion from the preferred eligible list.
6. A teacher and/or administrator/supervisor whose services are discontinued will be given preference in filling any position then vacant or for which recruitment is taking place provided:
  - a. the teacher and/or administrator/supervisor is certified in that area;
  - b. there are not persons on a preferred eligible list who have a greater right to said position because of seniority.

**E. Temporary Appointments**

1. Vacancies due to any type of leave are to be filled by temporary appointments.
2. Teachers and/or administrators/supervisors holding temporary appointments who have rendered competent service are considered for positions or assignments after all probationary and tenure staff members have been placed in areas for which they qualify.

Reference:     Bojarzuk v. Mills, 2002

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