

Rudolph F. Crew, Ed.D. , Superintendent of Schools

SUBJECT: REQUEST FOR APPROVAL OF A REDUCTION-IN-FORCE/LAYOFF OF SELECTED POSITIONS AND DOWNSIZING OF SCHOOL IMPROVEMENT ZONE SCHOOL-SITE POSITIONS

1. APPROVE SUPERINTENDENT'S DOWNSIZING OF SCHOOL IMPROVEMENT ZONE SCHOOL-SITE POSITIONS
2. APPROVE A REDUCTION-IN-FORCE/LAYOFF FOR COLLECTIVE BARGAINING UNITS AND EMPLOYEE ORGANIZATIONS
3. AUTHORIZE THE SUPERINTENDENT TO IMPLEMENT A SEPARATION PLAN TO ALL IMPACTED EMPLOYEES (WHICH INCLUDES OUTPLACEMENT ASSISTANCE)
4. AUTHORIZE THE SUPERINTENDENT TO PROVIDE TERMINAL PAY (FOR ACCRUED SICK LEAVE) TO ALL IMPACTED EMPLOYEES
5. APPROVE FURLOUGH DAYS FOR MANAGERIAL EXEMPT PERSONNEL (MEP) ADMINISTRATORS, PRINCIPALS, AND ASSISTANT PRINCIPALS AND AUTHORIZE THE SUPERINTENDENT TO AMEND EMPLOYEE'S CONTRACTS TO REFLECT THE NUMBER OF DAYS WITHOUT PAY
6. AUTHORIZE THE SUPERINTENDENT TO MAKE MINOR PERSONNEL ADJUSTMENTS, IF NECESSARY, AND REPORT IN WRITING TO THE BOARD

COMMITTEE: SCHOOL SUPPORT ACCOUNTABILITY

LINK TO DISTRICT

STRATEGIC PLAN: REFORM BUSINESS PRACTICES TO ENSURE EFFICIENCY AND EFFECTIVENESS

As stated at Budget Board Workshop of April 28, 2008, the District must reduce the 2008-09 budget by approximately \$284 million to operate within funding provided by the 2008 Appropriations Act and comply with School Board policy. To help address this shortfall, reductions related to non-school-site and school-site positions are being put forth in this item for School Board approval. The first reduction, a downsizing and reorganization of District and Regional offices (Agenda Item A-2, April 16, 2008) eliminated 154 district positions. The second reduction, as detailed in this item, is a Reduction-in-Force/Layoff and a downsizing of the School Improvement Zone school-site positions.

Authorization of the Board is requested to approve a Reduction-in-Force/Layoff of selected positions and downsizing of School Improvement Zone school-site positions in accordance with Florida Statutes 1001.49 and 1012.27, School Board Rules 6Gx13-4A-1.15, 6Gx13-4D-1.022, 6Gx13-4D-1.023 and the District's collective bargaining agreements. The process by which senior staff members worked to downsize the School Improvement Zone school-site positions and conduct a Reduction-in-Force/Layoff was reviewed by the School Board Attorney's office and by the Labor Relations' attorney.

Downsizing of the School Improvement Zone School-Site Positions

As noted in the School Board Budget Workshop on April 28, 2008, the downsizing of the School Improvement Zone school-site positions will result in savings of approximately \$9.0 million. These savings are comprised of approximately 110 position allocation reductions, which includes various instructional and non-instructional positions. Among these 110 are 12 Assistant Principal positions, which are the only positions reflected in this Board Agenda Item. The other 98 positions associated with this downsizing, although accounted for in the budget cuts for 2009-09, are not included in this item because they may be "purchased" with a school's discretionary funds at budget conferences (held from May 12-May 23, 2008).

K-12 School Allocation Plan Changes

K-12 School Allocation Plan changes proposed in School Board Agenda Item E-14, May 21, 2008, include a reduction of Assistant Principals at community schools by 50%. This Board Agenda Item reflects the reduction of the 16 Assistant Principal positions because the other positions impacted by the K-12 School Allocation Plan changes may be "purchased" with a school's discretionary funds at budget conferences.

Reduction-in-Force/Layoff

As noted in the School Board Budget Workshop on April 28, 2008, the functions of each department were thoroughly reviewed in determining the depth and breadth of the proposed Reduction-in-Force/Layoff. The Reduction-in-Force/Layoff in this Agenda Item is comprised of central office positions, school-site administrative positions reduced by the aforementioned K-12 School Allocation Plan changes, school-site administrative positions reduced through the downsizing of the School Improvement Zone, and positions impacted by the elimination of transportation services not required by law, as detailed at the April 28, 2008, Budget Board Workshop.

All of these position reductions are deemed necessary to ameliorate the impact of budgetary reductions. The total number of position reductions within this Board Agenda Item is 517, resulting in a total savings of approximately \$33.1 million. The number of position reductions by employee group/bargaining unit is displayed on the following page:

Central Office Personnel

American Federation of State, County and Municipal Employees – 25 positions

Confidential Exempt Personnel – 34 positions

Dade County School Administrators' Association – 29 positions

Dade County School Maintenance Employee Committee – 0 positions

Fraternal Order of Police – 12 positions

Managerial Exempt Personnel – 41 positions

United Teachers of Dade – 113 positions (note that 68 of these positions are instructional positions whose incumbent employees will be part of the surplus)

Transportation Center Personnel

American Federation of State, County and Municipal Employees – 235 positions

School-Site Personnel

Managerial Exempt Personnel – 28 positions

To date, none of the incumbents in the aforementioned positions have been terminated.

Additionally, the downsizing of the school-site positions in the School Improvement Zone and the proposed K-12 School Allocation Plan changes proposed in School Board Agenda Item E-14, May 14, 2008, may result in a Reduction-in-Force/Layoff or surplus of positions not addressed in this item. As noted previously in this Board Agenda Item, such decisions will not be finalized until after Budget conferences which were still in progress at the publishing date of this School Board Agenda Item. United Teachers of Dade (UTD) employees impacted by a surplus will be placed into open positions in accordance with the provisions in the labor contract. However, those employees who cannot be placed in an open position by July 1, 2008, will be subject to a Reduction-in-Force/Layoff. Should an additional Reduction-in-Force/Layoff be deemed necessary, an agenda item will be brought to the Board as soon as can be facilitated after budget conferences.

Separation Plan and Outplacement Assistance

The employees affected by these reductions will be treated with dignity, respect, and appreciation of their contributions to the District. The Office of Human Resources, Recruiting, and Performance Management, with assistance from Labor Relations, will review the current title and credentials of each impacted employee to determine their eligibility to seek re-employment in vacancies for which they qualify, through the school system. Additionally, a separation plan has been developed to provide an array of services, including outplacement assistance. Each employee will be directly notified of these services and provided with an individual assistance plan. The separation plan will also address any individual issues affecting impacted employees.

Terminal Pay (Sick Leave), Annual Leave (Vacation Leave), and Employee Benefits

Upon termination, all individuals will be compensated for their accrued annual leave (vacation leave) in accordance with School Board Rule 6Gx13-4E-1.18. Although not mandated by collective bargaining agreements or School Board Rule, the Superintendent is requesting authorization to provide terminal pay (accrued sick leave) to all employees who are terminated as part of the Reduction-in-Force/Layoff.

Employee benefits which include healthcare for employees and covered dependents, flexible benefits and life insurance will be provided in accordance with the provisions of the pertinent collective bargaining agreements and according to Federal and State laws, including COBRA continuation of benefits.

Furlough Days

To further address this budget shortfall, MEP administrators, principals and assistant principals will have mandatory furlough days, defined as days off without pay. Such furlough days will vary based on the position and/or salary of the employee and range from one furlough day for all MEP school-site and non-school-site employees earning less than \$100,000 in annual salary to five furlough days for the Superintendent and all members of the Superintendent's Cabinet. All MEP contracts for 2008-2009 will be amended to reflect these furlough days. As noted at the April 28, 2008 Budget Board Workshop, the furlough days will result in approximately \$1.0 million of savings.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, effective June 30, 2008, or as soon thereafter as can be facilitated, do the following:

1. Approve Superintendent's downsizing of School Improvement Zone school-site positions
2. Approve a Reduction-in-Force/Layoff for collective bargaining units and employee organizations as described herein
3. Authorize the Superintendent to implement a separation plan to all impacted employees (which includes outplacement assistance)
4. Authorize the Superintendent to provide terminal pay (for accrued sick leave) to all impacted employees
5. Approve furlough days for MEP Administrators, Principals, and Assistant Principals and authorize the superintendent to amend employee's contracts to reflect the number of days without pay
6. Authorize the Superintendent to make minor personnel adjustments, if necessary, and report in writing to the board