

August 4, 2008

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

**SUBJECT:           REQUEST FOR APPROVAL OF A REDUCTION-IN-FORCE/LAYOFF OF SELECTED POSITIONS**

- 1. APPROVE REDUCTION-IN-FORCE/LAYOFF FOR COLLECTIVE BARGAINING UNITS AND EMPLOYEE ORGANIZATIONS AS DESCRIBED HEREIN**
- 2. DELETE MANAGERIAL EXEMPT POSITION**
- 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. 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**

The 2008-2009 Miami-Dade County Public Schools balanced tentative budget, adopted in School Board Agenda item SP-2, July 30, 2008, is predicated on a strict adherence to the revised School Allocation Plan and amending and/or reducing existing and proposed initiatives. Since these actions eliminate selected district positions, this Agenda Item is proposing a Reduction-in-Force/Layoff. The Reduction-in-Force/Layoff is of comprised positions in central office and school sites.

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Central Office

This Agenda Item is proposing an elimination of the Special Education (SPED) Outreach Program within the Department of Professional Development and Educational Services. All responsibilities and tasks associated with SPED Outreach will be assumed by the Executive Director and selected Instructional Supervisors for programs in the Division of Special Education. Elimination of this program will result an elimination of one principal position, one assistant principal position and two clerical positions. Additional positions within the Department of Professional Development and Educational Services are being proposed for elimination within this Board Item. These positions include the open position of Administrative Director, Training/Development and one Teacher/Trainer position. Eliminating this Administrative Director position will reduce the overhead of the Department of Professional Development and Educational Services.

Also under this proposed Agenda Item, six open patrol officer positions, one Director of SBAB security and one clerical position will be eliminated from the Department of Police and District Security.

Additionally, as part of this proposed Reduction-in-Force, the open position of Assistant Superintendent, School Operations is being recommended for deletion. Deleting the position of Assistant Superintendent, School Operations will further reduce the overhead of the Department of School Operations.

Lastly, two secretarial positions within the Office of the Superintendent are being proposed in the Reduction-in-Force/Layoff of this Agenda Item.

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Grant-Funded Positions

Currently the District utilizes grant funding to pay for or subsidize the cost of staff positions within the District. Forty (40) of these grant-funded positions are scheduled to expire by September 30, 2008 and the District does not have alternative grant funding or general funds to absorb the cost of these positions upon expiration. The appropriate supervisors have been made aware of these expiration dates in advance and have made adjustments to their work locations to ensure continuity of services and the least impact on students. In turn, this Agenda Item is proposing a Reduction-in-Force/Layoff of each of these 40 grant-funded positions to take effect upon each position's respective grant expiration date.

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Instructional Positions Not Placed at Budget Conferences

Based upon declining enrollment, strict adherence to the School Allocation Plan, the elimination of the Highways to Success program and the reduction of instructional positions through the Reduction-in-Force in Agenda Item A-3, June 18, 2008, 1,347 instructional positions were surplusd in accordance with the United Teachers of Dade (UTD) contract. Over the last 6 weeks, District staff has been working with region centers and schools to place these surplusd instructional employees. As of August 3, 2008, the unplaced instructional surplus totaled 164 and represented the following subject areas:

- Art – 0
- Bilingual Education – 3
- Business /Computer Science – 8
- Elementary – 0
- Exceptional Student Education (ESE) – 30
- Foreign Language - 1
- Gifted - Exceptional Student – 0
- Math – 3
- Media Specialist – 0
- Music – 0
- Physical Education/Driver's Education – 72
- Reading/Language Arts – 0
- Science – 1
- Social Science – 0
- Student Services (Counselors, Career Specialists, Social Workers etc.) – 20
- Teacher Trainer/Lead Teacher/Support - 0
- Vocational - 20
- Other (Nurse, Dance, Drama etc) – 6

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The District will continue its effort to place these surplus personnel until August 5, 2008, or as soon thereafter as can be facilitated, after which this Agenda Item is proposing a Reduction-in-Force/Layoff of the unplaced surplus positions. This will allow the District the time necessary to staff any open instructional positions with external candidates prior to the first day of school. An external candidate will only be hired if a surplusd individual cannot fill an open position.

All instructional personnel who are impacted by the Reduction-in-Force will be put on a recall list and placed in accordance with the UTD contract as vacancies arise.

Non-Instructional Positions Not Placed at Budget Conferences

Similar circumstances that have caused a surplus of instructional positions have also caused an excess of 337 school-site non-instructional positions, representing 294 UTD non-instructional positions and 43 American Federation of State, County and Municipal Employees (AFSCME) positions.

As of August 3, 2008, the unplaced UTD non-instructional positions totaled 180 and represented the job categories below:

- Dental Assistant -1
- Clerical – 41
- Community Involvement / Community Liaison Specialist – 8
- Paraprofessionals – 130

As of August 3, 2008, the unplaced AFSCME positions totaled 31 and represented the job categories below:

- Audio/Visual Specialist - 1
- Computer Specialists - 4
- Concession Workers - 4
- Food Service Workers/Managers - 3
- Graphic Arts Specialist - 1
- Material Handlers - 4
- Parent Aide - 1
- Plant Security Foreperson -1
- Television Technician - 1
- Security Specialists (12 month) - 10
- Security Leadperson -1

The District will continue to place these positions until all schools are staffed, after which this Agenda Item is proposing a Reduction-in-Force/Layoff of the unplaced positions.

All non-instructional personnel who are impacted by the Reduction-in-Force will be put on a recall list and placed in accordance with their respective contracts as vacancies arise.

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Changes to School Allocation Plan

Within the 2008-2009 balanced tentative budget are changes to the School Allocation Plan that affect the number of positions at schools sites. These changes include (a) a reduction of all career specialist positions at K-8 schools (for a total of 12 career specialists); (b) a reduction of one clerical position for all elementary schools and K-8 schools (for a total of 219 clerical positions); (c) a reduction of one clerical position at alternative education centers (for a total of 13 clerical positions); (d) a reduction of one assistant principal position in specific schools as determined by the Office of School Operations and the Region Superintendents (for a total of 23 assistant principal positions) and; (e) a reduction in special allocations noted in School Board Agenda Item E-14, May 21, 2008 (resulting in 1 assistant principal position).

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Additionally, an elimination of the Highways to Success program is being proposed through a change in the school allocation plan. This will result in reduced position allocations and a portion of the services now being delivered by traditional schools (resulting in the elimination of 13 non-instructional positions, one computer technician position, 36 instructional positions, two assistant principal positions, and one principal position). The related instructional positions are reflected in the aforementioned 1,347 surplus instructional positions.

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Reduction-in-Force/Layoff Summary

Eliminating all of the aforementioned positions is necessary to balance the 2008-2009 tentative District budget. In total, these 717 positions correspond to an expense of approximately \$35.5 million. The number of positions subject to this proposed Reduction-in-Force/Layoff by employee group/bargaining unit is displayed below:

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- American Federation of State, County and Municipal Employees – 32 positions
- Confidential Exempt Personnel – 2 positions
- Dade County School Administrators' Association - 2 positions
- Fraternal Order of Police – 6 positions
- Managerial Exempt Personnel – 32 positions
- United Teachers of Dade – 643 positions (208 instructional, 435 non-instructional)

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

### 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 within 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.

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, effective August 5, 2008, or as soon thereafter as can be facilitated, do the following:

1. Approve a Reduction-in-Force/Layoff for collective bargaining units and employee organizations as described herein
2. Delete the following Managerial Exempt (MEP) position:
  - a. Assistant Superintendent, School Operations, MEP pay grade 25
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. Authorize the Superintendent to make minor personnel adjustments, if necessary, and report in writing to the Board