

Sent: Wednesday, April 01, 2009 4:18 PM
Subject: Update RIF and DIT Information

TO: Association Representatives
CC: Board of Directors
FROM: Steve Courter, TEA President

Thanks to all of you who attended the emergency AR meeting last week. I want to give you an update on some of the items we informed you about that day regarding our discussions with TUSD representatives.

As we discussed last week, we are entering into the most difficult time TUSD has experienced in decades. The impact will be very significant on TEA as well, as hundreds of RIF notices are being prepared and subsequent cuts will be made elsewhere including our classified unit.

This is a time to display empathy, unity, and as best as possible calm, as we hunker down for a rough ride.

The fact is, the RIF notices will be a case of over-noticing. This is due to the fact that the state budget is still unknown, and staffing levels for many schools, programs and departments are also unclear. Administration staffing is also murky.

Again, the procedure is that once the RIF list is prepared at HR, principals will have an informal or preliminary conversation with affected faculty *this week* to let them know their name is on the RIF list being forwarded to the Governing Board for the April 7 meeting. Nothing is official until that vote occurs, and it is possible that the list will change between the time of these preliminary meetings and the vote. Once the Board votes, the principal will transmit in a private meeting the official RIF notice and relevant information, such as recall rights and procedures.

RIFed MBUs need to verify that HR has all the information about what they are properly certified and highly qualified or endorsed, to teach, as this will affect their recall potential.

MOA Modifications for the 2009 Placement Process

Due to the severity of the potential budget cuts, and the high number of RIFs that will take place, TUSD notified TEA that there would be more than 200 DITs for 2009-10. TEA and TUSD convened per Consensus Article 8-4-I to "...determine if different procedures for the placement of DITs are warranted..."

We developed a Memorandum of Agreement (MOA) to modify the DIT process and related procedures (based on Consensus, state & federal statutes/regulations, and case law). The key differences for the 2009 spring process for assignment, vacancy, transfers, and RIFs include:

- The deadline for tentative assignments for next year will be due by May 1 instead of April 1. (Other assignment dates remain the same.)
- DITs will begin to be placed beginning May 4 (instead of July 1) in lieu of vacancy interviews.

- DITs may return to their site if a vacancy opens up by July 31 for which they are certified and highly qualified. (Currently the cutoff date is June 30.)
- Official RIF notices will be hand-delivered by the supervisor during a conference with the affected MBU.
- Teachers who have been RIFed and were previously in the White Collar/Food Service Unit may exercise seniority in a position in their most recent ESP classification and placed per White Collar/Food Service Article 12-2-C.

Clarifications include:

- Positions will not be considered as vacant until all employees with a contract are placed.
- MBUs affected by position elimination or similar cuts will be DITed or RIFed. These MBUs may be placed in a different program position at their site if: there is a vacancy (before July 31) AND the MBU is highly qualified and appropriately certified for the vacant position.
- DITs will rank order five positions for which they are qualified. Stated preferences may take into account site, geographic location, grade level, and types of positions or programs.
- MBUs will be RIFed according to classification (program), then district seniority as defined in the Consensus. If MBUs become certified and highly qualified *during* the recall process, they will then be eligible for recall to related positions after submitting the necessary documentation.
- MBUs with higher seniority may be subject to a RIF if they are not highly qualified for the subject area they are currently teaching and there is a lower seniority person who is highly qualified.

TEA Newsletter

Please review the related FYI items in the TEA Newsletter at <http://www.tucsonea.org/08-09%20Volume%20VIII.pdf>.