

CONTINUING CONTRACTS  
SUSPENSION/TERMINATION

DFCA  
(LOCAL)

CRIMINAL OFFENSES

The Superintendent is authorized to reassign or suspend with pay, or to recommend to the Board the suspension without pay or the termination of employment of, any certified professional employee employed under a continuing contract who is arrested and charged with a misdemeanor involving moral turpitude, a felony, or any criminal offense involving an alleged drug violation, in accordance with applicable legal and local provisions. [See DFCA(LEGAL)]

The Superintendent shall recommend to the Board the termination of employment of any such employee who is convicted of any criminal offense involving drugs or other controlled substances, in accordance with applicable legal and local provisions. [See DF(LEGAL)]

~~REDUCTION IN FORCE  
PROCESS~~

~~The following shall apply to personnel employed on continuing contracts as established at DCC(LEGAL):~~

- ~~1. A reduction in force (RIF) of continuing contract personnel holding continuing contracts shall occur only at the end of a school year.~~
- ~~2. Pursuant to Education Code 21.157, selection for a RIF shall be made in reverse order of District seniority within a specific teaching field. [See DFCA(LEGAL)] The RIF shall be determined on a District wide basis and not by an individual campus.~~
- ~~3. The RIF, and any recall from a RIF, shall be conducted so as to avoid discrimination on the basis of race, color, sex, religion, national origin, age, or disability.~~
- ~~4. Teachers in critical needs areas such as: special education, bilingual education, early childhood education, ESL, and the like may be totally or partially exempt from a RIF, as the RIF may have different impacts on different specific teaching fields, depending on need.~~
- ~~5. The latest date of hire shall be used to determine or calculate District seniority.~~
- ~~6. The District shall notify affected employees in writing of the reasons for the RIF.~~
- ~~7. A continuing contract employee of the District who has been subjected to a RIF shall retain and continue to accrue seniority until the last day of the school year during which he or she was laid off as a result of a RIF.~~

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- ~~8. Employees with retained seniority shall be recalled to work following a RIF in order of their seniority within a specific teaching field. The District shall notify, in writing, employees to be recalled.~~
- ~~9. When re-employed by the District, an employee shall reclaim all accrued unused leave.~~
- ~~10. No new continuing contract employee shall be hired by the District while any employee with retained seniority, within the specific teaching field is on a reduction in force status.~~
- ~~11. A continuing contract employee who believes that he or she has been subjected to a reduction in force in violation of this policy or who believes that the District has failed to recall him or her following a RIF in violation of the provisions of this policy may appeal any adverse decision to the Superintendent, in accordance with the local grievance policy.~~
- ~~12. In accordance with Education Code 11.163(a)(2) and 11.202, when there are two or more continuing contract employees with equal District seniority within a specific teaching field, the principal (for campus-based employees) or the respective associate superintendent, executive director, or director (for noncampus-based employees) shall make the selection as to which individual to re-employ.~~

~~This policy applies to personnel employed under a continuing contract.~~

~~DEFINITIONS~~

~~Definitions are as follows:~~

~~REDUCTION IN  
FORCE~~

- ~~1. RIF is the dismissal of employees as a result of positions being eliminated because of reallocation or reduction of authorized positions within the District, including, but not limited to, reallocation or reduction caused by financial exigency or program change.~~

~~Financial exigency, as used herein, means any decline in the Board's financial resources brought about by decline in enrollment, cuts in funding, decline in tax revenues, or any other actions or events that create a need for the District to reduce financial expenditures for personnel. Program change, as used herein, means any elimination, curtailment, or reorganization of a curriculum offering, legislative revisions to program funding, a school or departmental reorganization, or consolidation of two or more individual schools or school districts.~~

~~SENIORITY~~

~~SPECIFIC  
TEACHING FIELD~~

- ~~2. District seniority is the length of an employee's most recent continuous employment by the District in a position that requires certification by TEA and/or for which an employee has been issued a contract.~~
- ~~3. Specific teaching field is the teaching field(s) or other professional employment field(s) recognized by TEA or the State Board for Educator Certification in which a certified employee is currently employed or any such field in which he or she is eligible to be employed pursuant to the terms of his or her Texas teaching certificate.~~

DRAFT