

**South Coast Education  
Service District**

Code: **GCPA**  
Adopted: 11/18/97  
Readopted: 4/10/07  
Reviewed: 9/25/17  
Orig. Code(s): GCPA/GDPA

**Layoff - Licensed Staff \***

If within 27 months of the date of layoff, a vacancy occurs within the ESD for which the laid-off employee is deemed qualified by the ESD, the recall procedure outlined below should be followed:

1. At the time of layoff, laid-off employees shall have the opportunity to express in writing a desire to return to the ESD. The employee shall also leave with the ESD the employee's address for recall notification. In the event of a recall, the ESD shall notify the employee who has expressed a desire to return to the ESD of the recall by certified mail, return receipt, sent to the last address given by the employee to the district office.
2. Employees will have ten calendar days from the mailing of such notices in sub-paragraph 1, above, to notify the ESD of their intent to return to ESD employment. Failure of the employee to respond within the time herein specified shall terminate such employee's employment as a voluntary resignation.

In the event the layoff of any employee(s) lasts for more than 27 months, the employment of said employee(s) shall be considered terminated.

Nothing in this policy statement is intended to interfere with the right of the district to discharge, remove or fail to renew the contract of a probationary teacher or discharge a permanent teacher pursuant to Oregon law.

Staff released under the provisions for layoff will not be eligible to receive or to accrue any benefits or seniority during any period of time from release to recall. Staff laid off at the end of the school year will be placed on the next salary step when recalled. Staff working less than a full school year will be placed on the same step as when laid off unless they worked for the ESD half a year plus one day before being laid off.

1. Sick leave and seniority accrued prior to the layoff shall be reinstated upon recall.
2. The continuation provisions of federal law requires employers to offer to continue group health insurance coverage for terminating employees (voluntary and involuntary) and their spouses and dependents for up to 18 months. It also requires employers to offer continuation for up to 36 months to spouses who become widowed, divorced or legally separated, to dependent children who cease to qualify under the general rules of the policy and to spouses and children who would otherwise lose eligibility because of an employee's eligibility for Medicare.

People who elect to continue coverage must pay a monthly premium of no more than 102-percent of the cost of the coverage. (This cost includes any portion normally paid by regular employees.)

Any appeal from a decision on layoff or recall under this policy shall be by provisions in state law.

END OF POLICY

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**Legal Reference(s):**

ORS 342.934