

# Know Your Rights!

## What is “excessing”?

The technical term in the union contract for excessing is “reduction of staff.” It is a type of involuntary transfer that is done to achieve a reduction of staff due to declining enrollment or loss of funding at the originating work site.

## When does excessing happen?

Excessing can occur only at two times: (1) the spring for the next school year, or (2) in the fall up until October 31. If you’re to be transferred, you have the right to 3 workdays’ notification before the transfer occurs. For spring excessing for the following year, you must also be notified in advance of the May post.

## How do we know who will be excessed?

If there is a need to reduce staff, the supervisor must determine the grade level (TK-3 or 4-6), subject area, or program to be reduced. Then the supervisor must ask for volunteers to meet the desired reduction of staff. While members can’t “excess themselves,” they can volunteer to be excessed. If there are no volunteers, the member with the least seniority at the grade level (TK-3 or 4-6), in the subject area, or in the program that is to be reduced can be excessed. However, that member may be able to exercise seniority rights to stay at the site. To exercise seniority rights, there are two requirements, *both* of which must be met:

- ✓ Recent experience: Have taught in SDUSD in a different subject or at a different level for at least 2 school years in the last 9 years, or 1 school year within the last 5
- ✓ Seniority: Be more senior than another member who works in that subject or at the grade level in which she has recent experience and in which she wishes to exercise seniority rights to remain at the school site or within the program

Only the member who is indicated for excessing can decide if she wants to exercise seniority rights (if eligible) to stay at the site. The supervisor, for example, can’t exercise seniority rights for her.

## What is “Priority Consideration,” and how do I know if I have it?

A member who is excessed from her site (or is assigned to a school that is to be closed) has “priority consideration” status in the post and bid process. That means you are guaranteed an interview and must be hired for the position you bid on, so long as you are qualified for the position based on the description in the posting. It’s often the case that there is more than one priority consideration bid on a single position – what then? SDUSD must interview *all* priority consideration bidders *and* must hire one of the bidders with Priority Consideration. Priority consideration doesn’t apply at: API 1-3 schools and priority staffing schools (those with 30% of their staff not yet having reached permanency). A member’s priority consideration status expires on September 1, or upon placement in a position, whichever comes first.

*Sources: Collective Negotiations Contract, July 1, 2012– June 30, 2017 (Sections 12.1.9 and 12.7.3)*

**EXCESSING**

