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Descriptor Term:
PROFESSIONAL PERSONNEL REDUCTION IN FORCE

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7.4110

Legal References: G.S. 115C-325

Cross References:

The purpose of this policy is to establish an orderly procedure for reducing the number of licensed, professional employees of the school system.

A. GROUNDS FOR REDUCTION IN FORCE

A reduction in force may be implemented when the board determines that any of the following circumstances have resulted in the need to decrease the number of licensed, professional positions.

1. System Reorganization

System Reorganization is defined as:

- a. the closing, consolidation or reorganization of schools, school buildings or facilities;
- b. the elimination, curtailment, or reorganization of a curriculum offering, program or school operation; or
- c. the merger of two or more school systems.

2. Declining Enrollment.

Declining Enrollment shall exist when

- a. the enrollment or projected enrollment for the next succeeding school year causes a decrease in the number of teaching or administrative positions allocated by the state or any other funding source; or
- b. when the enrollment or projected enrollment of a curriculum offering or program for the next succeeding school year is inadequate to justify continuation of the course or program.

3. Financial Exigency.

Financial Exigency shall mean

- a. any significant decline in the board's financial resources that compels a reduction in the school system's current operational budget;
- b. any significant decrease or elimination in funding for a particular program; or

- c. any insufficiency in funding that would render the board unable to continue existing programs at current levels.

B. PRELIMINARY DETERMINATION

1. The superintendent shall determine whether or not a reduction in force is necessary, appropriate, or in the best interests of the school system.
2. If the superintendent decides to recommend to the board a reduction in force, he/she shall first determine which licensed positions shall be subject to the reduction. In making that determination, the superintendent shall consider the following:
 - a. structural considerations, such as identifying positions, departments, courses, programs, operations and other areas where there are
 - i. less essential, duplicative or excess personnel;
 - ii. job responsibility and/or position inefficiencies;
 - iii. opportunities for combined work functions; and/or
 - iv. decreased student or other demands for curriculum, programs, operations or other services; and
 - b. organizational considerations, such as anticipated organizational needs of the school system and program/school enrollment.
3. The superintendent shall then present a recommendation to the Board of Education. The recommendation shall include:
 - a. the grounds for reduction in force;
 - b. the number or estimated number of licensed positions to be reduced, categorized by area(s) of licenses and/or program responsibility; and
 - c. the background information, data, and rationale for the recommendation.
3. The board shall review the superintendent's recommendation and shall determine whether to reduce the number of licensed employees or to reduce their terms of employment.
4. If the board, after exploring, considering, and discussing a variety of ways to avoid a reduction in force, determines that a reduction in force of licensed employees is necessary, the superintendent shall recommend to the board which individuals are to be dismissed, demoted, or reduced to part-time employment, based on the criteria set forth below.

C. CRITERIA

The primary consideration in any reduction in force shall be the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the school system. The superintendent shall consider a variety of factors, including the following in determining which employees shall be included in the reduction in force:

1. performance ratings;

2. areas of licensure, including multiple licensure areas;
3. highly qualified status;
4. program enrollment;
5. assumption of and service in extra duty positions and ability to fill such positions;
6. length of service, with higher priority given to service in this school system;
7. degree level; and
8. the essential nature of the position in relation to the operation of the school system.

The superintendent shall develop a system for using the above-mentioned factors to determine which employees will be recommended to the board for inclusion in the reduction in force.

D. PROCEDURE FOR TERMINATION

The board shall consider the superintendent's recommendation and may, by resolution, order the dismissal or demotion of an individual or reduce an individual to part-time employment. All requirements of G.S. 115C-325 shall be met, including time limits and procedures for notice and opportunity for a hearing, when any career teacher (as defined in G.S. 115C-325) is terminated, demoted, or reduced to part-time employment due to reduction in force or any probationary teacher (as defined in G.S. 115C-325) is terminated, demoted or reduced to part-time employment due to a reduction in force.

E. TERMINATION/REEMPLOYMENT OF A CAREER EMPLOYEE

When a career employee is dismissed in accordance with this policy, his/her name shall be placed on a list of available employees to be maintained by the board.

F. NONRENEWAL OF AN EMPLOYEE

The board, upon recommendation of the superintendent, may refuse to renew the contract of a probationary teacher, to offer a new, renewed or extended contract to a school administrator or to reemploy any teacher who is not under contract for any cause it deems sufficient. A decision

- a. not to renew a probationary teacher's contract,
- b. not to renew, extend or offer a new contract to a school administrator, or
- c. to not reemploy any teacher who is not under contract

In such circumstances, the procedures set forth in this policy are not required to be followed before the board's decision.