

The Transylvania County Board of Education (the “Board”) recognizes that if the number of students enrolled in the school system decreases significantly, then the number of employees needed to serve the public schools may also decrease. Additionally, the funds appropriated by State, Local, and Federal governments may decrease, remain the same, or not increase sufficiently to fund all existing positions, both certified and non-certified. The Board also recognizes that it may be necessary, appropriate, or in the best interests of the school system to ~~close, consolidate, or~~ reorganize some schools. The Board further recognizes that it may be necessary on occasion to eliminate, reduce, or otherwise change some programs. While it is the preference of the Board first to reduce staffing levels through natural attrition, the occasion may arise when a reduction in force is necessary. Regardless, it is the intention of this Board to provide sound basic classroom instruction and quality support services.

I. DEFINITIONS

- A. *Certified employee* means any teacher, principal, supervisor, or any other person who is employed to fill a position that requires a certificate (license) issued by the North Carolina Department of Public Instruction.
- B. *Probationary teacher* means any certified employee other than a superintendent, associate superintendent, or assistant superintendent who has not obtained career status and whose major responsibility is to teach or to supervise teaching.
- C. *Career teacher* means any certified employee who has achieved career status (tenure) in Transylvania County Schools and who holds a career contract.
- D. *Non-certified employee* means all other employees who are not certified employees.
- E. *Termination* means the cessation of an employee’s ongoing employment. By definition, the non-renewal of a certified employee’s interim or probationary contract is not a termination.

II. GROUNDS FOR REDUCTION IN FORCE

Reduction in force may be implemented when the Board determines that any of the following circumstances exist:

1. District Reorganization

District reorganization is defined as:

- A. Declining enrollment, financial exigency, or other cause(s) warranting ~~closing, consolidation, or~~ reorganization of schools, school buildings, or

facilities; and where the number of existing employees exceeds the number required to staff the school, school buildings, or facility as reorganized; or,

- B. Any elimination, curtailment, or reorganization of a curriculum offering, program, or school operation; or, a reorganization ~~or consolidation~~ of ~~two or more individual~~ schools or school districts **programs** that is unrelated to financial exigency.

2. Declining Enrollment

Declining enrollment exists when 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, when the enrollment or projected enrollment for the next succeeding school year of a curriculum offering or program is inadequate to justify continuation of the course or program.

3. Financial Exigency

Financial exigency means any significant decline in the Board's financial resources that is brought about by the decline in enrollment or by other actions or events that compel a change in the school district's current operational budget; or, any significant decrease or elimination in funding for a particular program; or, any insufficiency in funding that would render the Board unable to continue existing programs at current levels.

III. RECOMMENDATION FOR A REDUCTION IN FORCE

The Superintendent shall determine whether a reduction in force is necessary, appropriate, or in the best interests of the school system. When the Superintendent determines that reasons exist for a reduction in force, then he or she shall present a recommendation to the Board. The recommendation shall include:

1. The reason(s) for the reduction in force;
2. The number or estimated number of employees to be reduced; and
3. The specific program area(s) to be reduced (e.g., elementary grades, middle grades subject areas, secondary grades subject areas, English as a Second Language, special education, career-technical education program areas, central office personnel, school-based administrators, non-certified employees, etc.). The foregoing examples are offered for

illustrative purposes only and are not intended to represent an exhaustive list.

IV. BOARD OF EDUCATION APPROVAL

The Board shall review the Superintendent's recommendation and shall determine whether to reduce the number of employees by the number and areas recommended.

V. CRITERIA FOR REDUCTION IN AREA OF EMPLOYMENT REDUCED

The primary consideration in any reduction in force will be the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the school district. **In no order of priority**, the Board will consider the following applicable factors in determining which employees will be included in the reduction in force:

- Performance evaluations;
- Current licensure status;
- Level of educational attainment;
- Service in extra duty positions and ability to fill such positions;
- Longevity of service, with higher priority given to service in this school district;
- Program enrollment;
- Recommendations and advice from the Superintendent; and
- Other beneficial services provided by the employee to the school system.

VI. PROCEDURE FOR REDUCTION IN FORCE

- A. If the Board determines that a number of employees is to be reduced, then the Superintendent shall proceed to implement the reduction on the effective date(s) approved by the Board.
- B. Pursuant to North Carolina General Statutes (NCGS) § 115C-325(e)(2), the Superintendent shall notify in writing each employee whose employment will be terminated.
- C. When a career employee is dismissed pursuant to NCGS § 115C-325(e)(1)1., his name shall be placed on a list of available career employees to be maintained by the Board. Career employees whose names are placed on such a list shall have a priority on all positions in which they acquired career status and for which they are qualified which become available in the system for the three consecutive years succeeding their dismissal. However, if the Board

offers the dismissed career employee a position for which he is certified and he refuses it, then his name shall be removed from the priority list.

- D. The Board, upon recommendation of the Superintendent, may refuse to renew the contract of a probationary teacher or school administrator for any reason permitted by law, including, but not limited to, district reorganization, decreased enrollment, or decreased funding. In such cases, the procedures set forth in this policy shall not apply. **Documentation of such action shall be placed in the employee's personnel file for the purpose of future employment references.**

APPROVED BY BOARD
AND EFFECTIVE 3/9/82
REVISED 4/25/88
REVISED _____