

**REDUCTION IN FORCE:
TEACHERS AND SCHOOL ADMINISTRATORS**

Policy Code: **7920**

1 The purpose of this policy is to establish an orderly procedure for a reduction in force. This
2 policy applies to (1) employees with career status and (2) all other teachers and school
3 administrators, as defined in the relevant statutes, during the terms of their contracts. A
4 reduction in force among any other employees will be accomplished in accordance with policy
5 7921, Classified Personnel Reduction, or, as applicable, in accordance with any conflicting terms
6 of an individual employee’s contract.

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8 **A. GROUNDS FOR REDUCTION IN FORCE**

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10 A reduction in force may be implemented when the [Transylvania County Board of](#)
11 [Education \(the “board”\)](#) determines that any of the following circumstances have resulted
12 in the need to decrease the number of positions held by employees to whom this policy
13 applies.

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15 **1. System Reorganization**

16 System reorganization is defined as (a) the closing, consolidation, or
17 reorganization of schools, school buildings, or facilities; (b) the elimination,
18 curtailment, or reorganization of a curriculum offering, program, or school
19 operation; or (c) the merger of two or more school systems.

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22 **2. Declining Enrollment**

23 Declining enrollment exists (a) when the enrollment or projected enrollment for
24 the next succeeding school year causes a decrease in the number of teaching or
25 administrative positions allocated by the State or any other funding source; or (b)
26 when the enrollment or projected enrollment of a curriculum offering or program
27 for the next succeeding school year is inadequate to justify continuation of the
28 course or program.

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31 **3. Financial Exigency**

32 Financial exigency means (a) any significant decline in the board’s financial
33 resources that compels a reduction in the school system’s current operational
34 budget; (b) any significant decrease or elimination in funding for a particular
35 program; or (c) any insufficiency in funding that would render the board unable to
36 continue existing programs at current levels.

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39 **B. PRELIMINARY DETERMINATION**

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41 1. The superintendent shall determine whether or not a reduction in force for
42 employees subject to this policy is necessary, appropriate, or in the best interests
43 of the school system.

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2. If the superintendent decides to recommend to the board a reduction in force, he or she shall first determine which positions shall be subject to the reduction. In making that determination, the superintendent shall account for both:
 - a. structural considerations, such as identifying positions, departments, courses, programs, operations, and other areas where there are (1) less essential, duplicative, or excess personnel; (2) job responsibility and/or position inefficiencies; (3) opportunities for combined work functions; and/or (4) 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. The recommendation must include:
 - a. the grounds for a reduction in force;
 - b. the positions to be reduced, categorized by area(s) of licensure and/or program responsibility; and
 - c. the background information, data, and rationale for the recommendation.
 4. The board will review the superintendent's recommendation and will determine whether to reduce the number of employees or to reduce their terms of employment.
 5. 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 employees subject to this policy 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.

79 **C. CRITERIA**

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81 The primary consideration in any reduction in force will be the maintenance of a sound
82 and balanced educational program that is consistent with the functions and
83 responsibilities of the school system. The superintendent shall consider a variety of
84 factors in determining which employees will be included in the reduction in force,
85 including the following:
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- 87 1. work performance and evaluation ratings;
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89 2. areas of licensure;
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91 3. highly qualified status;
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93 4. program enrollment;
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95 5. service in extra duty positions and ability to fill such positions;
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97 6. length of service, with higher priority given to service in this school system; and
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99 7. degree level.

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

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105 **D. PROCEDURE FOR TERMINATION**

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107 The board will consider the superintendent’s recommendation and may, by resolution,
108 order dismissal or demotion of an individual or reduce an individual to part-time
109 employment. All requirements of G.S. 115C-325 (for teachers with career status) and
110 115C-325.6 (for non-career status teachers) will be met, including the time limits and
111 procedures for notice and the opportunity for a hearing, when any teacher with career
112 status (as defined in G.S. 115C-325) or teacher or administrator (as defined in G.S. 115C-
113 325.1) is terminated, demoted, or reduced to part-time employment due to a reduction in
114 force.

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116 **E. TERMINATION/REEMPLOYMENT OF A TEACHER WITH CAREER STATUS**

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118 When a teacher with career status is dismissed in accordance with this policy, his or her
119 name will be placed on a list of available employees to be maintained by the board.

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121 **F. NONRENEWAL OF AN EMPLOYEE**

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123 The board, upon recommendation of the superintendent, may refuse to renew the contract
124 of a non-career status teacher; to offer a new, renewed, or extended contract to a school
125 administrator; or to reemploy any non-career status teacher who is not under contract for
126 any cause it deems sufficient (see policy 7950, Non-Career Status Teachers:
127 Nonrenewal). A decision (1) not to renew a non-career status teacher’s contract, (2) not
128 to renew, extend, or offer a new contract to a school administrator, or (3) to not reemploy
129 any non-career status teacher who is not under contract is not considered a “termination”

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130 under this policy. In such circumstances the procedures set forth in this policy are not
131 required to be followed before the board’s decision.

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133 Legal References: G.S. 115C-287.1, -325 (applicable to career status teachers), -325.4, -325.6 to
134 -325.9 (applicable to non-career status teachers)

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136 Cross References: Non-Career Status Teachers: Nonrenewal (policy 7950)

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138 Adopted:
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