



NEBO SCHOOL DISTRICT BOARD OF EDUCATION POLICIES AND PROCEDURES

SECTION: G - Personnel
POLICY TITLE: Reduction In Force
FILE No.: GCPF
DATED: January 11, 2012

TABLE OF CONTENTS

1. PURPOSE AND PHILOSOPHY
 2. DELEGATION
 3. NECESSARY REDUCTIONS
 4. PROHIBITION AGAINST "LAST HIRED, FIRST FIRED" PROCEDURE
 5. REHIRE
-

1. PURPOSE AND PHILOSOPHY

The Board of Education recognizes that under certain circumstances it may become necessary to initiate a Reduction In Force (RIF). A RIF may be District-wide or may affect only a particular school or department. In the event of a RIF, the Board desires that only those programs and/or positions be identified that can be eliminated, combined, or modified with minimal impact on the needs of the District. A fundamental goal of the Board is for the District to maintain sound and balanced educational programs. The RIF procedures outlined in this policy apply to "career" employees for a RIF that is effective at the end of a school or contract year. The RIF procedures in this policy apply to both "career" and "provisional" employees for a RIF that is effective during a school or contract year. The RIF procedures outlined in this policy do not apply to the dismissal of "temporary" employees who are "at-will" and have no expectation of continued employment, such as interns, at-will, seasonal, or substitutes. Such temporary employees may be dismissed at any time and for any or no reason in the sole discretion of the District.

2. DELEGATION

2.1. The Board of Education hereby delegates to the Superintendent or his/her designee(s) the duty to determine when a RIF is necessary, whether the RIF is district-wide or affects only a particular school or department, and other matters concerning the nature and scope of the RIF. The Superintendent or his/her designee(s) shall identify which programs and/or positions should be eliminated, combined, or modified whenever a RIF becomes necessary. A primary consideration in any RIF will be the maintenance of a sound, functional, and balanced educational program that is consistent with the functions, operations, and responsibilities of the District.

2.2. In considering which programs and/or positions to eliminate, combine, or modify in the best interests of education in the District, the Superintendent or his/her designee(s) may consider any or all of the following criteria, as may be relevant, which is not listed in any specific priority order:

2.2.1. Personnel Needs (District, School, or Department).

2.2.2. Performance Evaluations.

2.2.3. Education / Work Experience.

2.2.4. Professional Contributions.

2.2.5. Professional Conduct.

2.3. The Superintendent or his/her designee(s) shall determine the affected programs and/or positions and the number of employees to be terminated due to a RIF. The Superintendent or his/her designee(s) shall then create a RIF Evaluation Form in order to rank the employees, within each affected program and/or position, in accordance with any or all of the foregoing criteria, as the same may be relevant and applicable. The RIF Evaluation Form shall outline the specific criteria and corresponding points or weightings which will be used to establish the rankings. Utilizing the RIF Evaluation Form, the employee(s) with the lowest rank(s) shall have their employment terminated.

2.4. RIF decisions will not be made upon the basis of an employee's race, color, national origin, gender, religion, disability, age, or any other legally protected classification.

3. NECESSARY REDUCTIONS

3.1. The School District may reduce the number of employees in force, or may combine or modify programs and/or positions without following the Utah Orderly School Termination Procedures Act, Utah Code Ann., Section 53A-8-101, et seq., Nebo School District Policy #GCPD - Orderly Termination of Employees, or other applicable laws and policies when it becomes necessary to eliminate, reduce, combine, or modify the number of employees for one or more of the following reasons:

3.1.1. Declining student enrollments;

3.1.2. Discontinuance or substantial reduction of a particular service or program;

3.1.3. The shortage of anticipated revenue after the budget has been adopted;

3.1.4. School consolidation; or

3.1.5. Other unforeseen circumstances necessitating a RIF.

3.2. In the event of a RIF, the District may terminate the services of a career or provisional employee, as applicable. For a termination effective at the end of a school or contract year, notice shall be given to the affected career employee(s) on or before April 15 of the applicable school or contract year. For all other terminations during the school or contract year, notice shall be given to the affected career or provisional employee(s) at least thirty (30) days prior to the effective date of termination.

4. PROHIBITION AGAINST “LAST HIRED, FIRST FIRED” PROCEDURE

The District may not utilize a “last-hired, first-fired” procedure for layoffs when terminating District employees. “Last-hired, first-fired” procedure for layoffs means staff reduction that mandates the termination of an employee who started to work for the District most recently before terminating a more senior employee.

5. REHIRE

5.1. If an employee is terminated through a RIF, the employee will be given consideration for available positions for which the employee is qualified and applies. However, there is no guarantee of continued employment.

5.2. If an employee terminated through a RIF is rehired to the same or a similar position within one (1) calendar year from the date of termination, the employee will be reinstated to the same

career or provisional status held at the time of termination and will receive appropriate step increases, if any have been authorized. Accrued personal leave, sick leave, and other leave benefits will be reinstated at the level existing at the time of the RIF, excluding accrued vacation previously paid out. Employees terminated through a RIF shall remain entitled to such reinstatement for the earlier of: (a) one (1) year from the date of termination; or (b) until such time as they refuse further similar employment offered by the District. If an employee accepts a position on a lower salary lane, the benefits and salary will be adjusted to reflect the new lane placement.

EXHIBITS

None

REFERENCES

Utah Code Ann., §53A-8-101, et seq.
Nebo School District Policy # GCPD - Orderly Termination of Employees
Nebo School District Employee Agreements / Memorandums of Understanding

FORMS

None
