

## **REDUCTION IN PROFESSIONAL STAFF WORK FORCE**

Reduction in professional staff may, from time to time, become necessary due to decreased enrollments, revenue limitations or other events beyond the control of the Board of Trustees. Separation or reduction in force shall not be used to discipline an employee for unsatisfactory work performance or undesirable conduct.

The Board of Trustees of Uinta County School District Number Four, realizing their primary consideration in any reduction in force shall be the maintenance of a sound and balanced education program that is consistent with the functions and responsibilities of the Board, shall use administrative professional judgments to determine which positions can best serve the needs of the students and District. Positions needed to effectively operate will be the determining factor in deciding what reductions will be effected, observing the above philosophy and in accordance with the procedures defined herein.

### **CRITERIA**

At the time of a call for reduction in force as determined by the sole discretion of the Board of Trustees, only staff certifications and endorsements as they exist at that time will be considered for reassignments within the District. Each certified staff member will be classified in the following assignment categories in accordance with his/her present assignment areas.

1. Elementary teachers: K-6
2. Secondary teachers: 7-12
3. Special program teachers: K-12 properly certified in respective assignment areas.
4. Special instructional endorsements/ Federal-State Programs

The Superintendent of Schools will consider seniority in the district within the employee's category/(ies) or assignment area/(s), and within other categories or areas if standard certification exists, to help determine a reduction-in-force. The Superintendent will consider the best interests of Uinta County School District Number Four and will not be bound strictly by seniority.

Following the considerations set forth in the previous paragraph, the Superintendent shall also use the following factors when recommending to the Board any reduction in staff:

- When at all possible, staff reductions will be accomplished through attrition and by balancing vacancies caused by leaves of absence, resignation, sabbaticals and retirements.
- The specific needs of the School District with respect to curricular and extra-curricular programs or activities,
- The certified employee's certification area(s)/ endorsement(s),
- Length of teaching experience in the School District,
- Length of teaching experience in the assigned subject area(s).

### **Other Factors for Consideration**

- There may be transfers (both voluntary and involuntary) and these (voluntary or involuntary) transfers are acceptable to the operations of the policy. The Board of Trustees, in its sole discretion, shall have the right to assign teachers in the district as it deems in the best interest of the district. These assignments will be based on proper certifications and requirements. In no event shall this policy be construed or interpreted to provide or allow certified staff the right to determine where they should be assigned.
- The effects of attrition will be analyzed, but only positions vacated through written resignations or termination prior to the time reduction in force decisions are made will be considered.
- A willingness or past experience history in sponsoring or completing co-curricular, coaching assignments and other duty assignments will be examined by the District.

Employees on the staff reduction list least meeting the specified criteria will be released in order from the least meeting criteria until the necessary reduction in the determined area is accomplished.

If two or more said staff within this process are determined to be equally qualified and suited to the assignment or assignments remaining within the district, the following prioritized list will determine the order of reduction-in-force:

1. the date the Board of Trustees ratified the contract of their respective employment, then
2. the date the contract was signed by the staff, then
3. the order the name was read into acceptance by the Board of Trustees.

In the event reduction-in force is necessary, no certified staff member in the affected area will be returned from a leave of absence if such return would cause the dismissal of an active employee who at least equally meets the established criteria as specified in this policy.

If, after considering the superintendent's recommendation for reduction in force, the Board acts to terminate employment, it shall give written notice of that fact by registered mail, return receipt requested, to the teacher to be terminated. Such notification will be given to staff members of the affected area as soon as possible but at least such notification shall be given by April 15th of the school year prior to the year the reduction is to become effective. The notice shall include a statement of the condition(s) requiring termination of employment, and a general description of the procedure followed in making the decision. This notice will also include a copy of the terminated staff member's rights and obligations. The staff member's address, as it appears on the school district's record, shall be deemed to be the correct address. It shall be the employee's responsibility to see that the school district has his/her current address on file. In addition, a copy of such written notice will also be hand delivered by a District administrator who shall record the date of delivery.

## **REVIEW OF INDIVIDUAL NON-RENEWALS OR DISMISSALS**

Review of individual non-renewals or dismissals (due to reduction of professional staff) shall be had in accordance with Wyo. Statute 21-7-101 through 21-7-114 and 16-3-101 through 16-3-115, (2005) or as may be amended.

## **RECALL PROCEDURES**

Any position involved in a reduction that is reinstated within twelve (12) months from the individual staff members last working day will be offered to those affected in the reverse order of their dismissal (the last dismissed will be the first recall).

Offers for employment shall be made by registered mail, return receipt requested and the staff member shall be notified that he/she submit written acceptance within fifteen (15) calendar days from the date of acceptance of the letter. Failure to respond within fifteen (15) calendar days, or rejection of the position eliminates all re-employment rights under the provisions of this policy.

A staff member, who has been terminated as a result of this policy has no contract rights, is dismissed without pay, and will not continue to accrue years of experience, benefits, or leaves of any kind. If the staff member is recalled and is subsequently re-employed, he/she shall be reinstated with all continuous experience and sick leave he/she had accrued at the time of termination.

## **CLARIFICATION**

This procedure is the only procedure that may be used in a reduction in force. Any existing procedure for reconsidering or examining an employee's discharge, non-re-appointment or grievance, is not available for considering an issue that arises from a reduction in force. Similarly, no other personnel action other than a reduction in force may be considered under this procedure. Federal and state laws and regulations will take precedence over this policy when in conflict.

Adopted:       October 4, 1994  
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