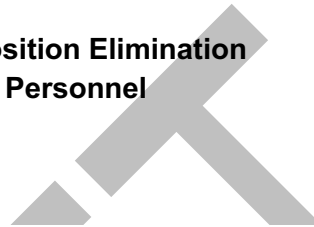


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**Reduction in Force and Position Elimination
Policy Series: 5000 Personnel**

**Policy No. 5290
Procedure 1**



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Reduction Process

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1. The district may consider the results of employee evaluations when reducing positions and re-assigning staff.
2. The program needs, staff requirements, and projected student enrollment for each school in the district will be determined **no later than March 1st.** ~~for the upcoming school year.~~
3. Staff selection to fulfill all program needs will be made in each school. Program cuts will be determined through analysis of what will be in the best interests of the students of the district. Where teaching assignments require special certification, such assignments will be filled with educators currently holding such special certificates. Educators teaching in their major field cannot be replaced by teachers with a minor in that field. If the position is to be available in the upcoming year, the educator will be assigned to another position consistent with the educator's certificate, major or minor field of study.
4. Licensed employees not assigned to a teaching position will be notified of their unemployment by certified letter from human resources and will be recalled as requirements permit.
5. Positions in any school within the district that must be filled will be filled from the ranks of those released from teaching positions in other **district** schools. Persons filling these positions will be determined by their credentials. If no one is qualified, outside hiring will be initiated to fill the position.

Recall Procedure

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1. Persons released from positions through a RIF will be offered employment in the district as teaching jobs become available according to the district need and to teacher qualification (licensure and endorsement).

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2. Human resources will give notice of the recall offer in writing by sending a certified letter to said teacher at his/her last known address. It will be the responsibility of each teacher to notify human resources of any change in address. The teacher's address as it appears on the board's records will be conclusive in connection with the reduction, recall, or other notice to the teacher.
 3. Any teacher so notified must respond within fourteen (14) days from receipt of recall notice. If a teacher fails to respond within fourteen (14) days or rejects a position for which they he/she is are certificated to teach and such position is offered consistent with the aforementioned provision, the teacher shall be considered to have resigned from the employ of the district.
 4. The **recalled** teacher will be placed on the proper step of the salary schedule for the teacher's current position according to the teacher's experience and education.

58 **Notice**

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1. In the event of a reduction in force, human resources will provide written notice to all affected licensed and contracted employees thirty (30) days or more prior to termination of contract; or, in the case of emergency budget cuts, as soon as the information is known. Written notice shall be given to the employee through a certified letter sent to the employee's last known address.
 2. In the event a RIF of teachers is anticipated, human resources will notify the association at the earliest possible time. Financial circumstances and the receipt of information regarding these circumstances will dictate this.

72 **Legal References**

73 [Title VII, Civil Rights Act of 1964](#)
74 [Age Discrimination in Employment Act of 1967](#)
75 [Equal Pay Act of 1963](#)
76 [Title I, Americans with Disabilities Act of 1990](#)
77 [Civil Rights Act of 1991](#)
78 [Section 501 of the Rehabilitation Act of 1973](#)
79 [Pregnancy Discrimination Act](#)
80 [Utah Code 53G-11-516](#)

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83 **Approved by Board of Education** May 13, 2014
84 Revised August 2016
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