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

Policy No. 5290

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Purpose:

The Board of Education recognizes that from time to time it may be necessary to reduce in force under certain circumstances. Any time a reduction in force becomes necessary, the primary goal of the board is to identify those positions which can be eliminated, combined, or reduced to meet the needs of the district. The maintenance of educational programs is the top priority when a reduction in force becomes necessary.

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Overview:

This policy is to establish establishes an orderly procedure used to separate, transfer, reassign, or demote employees when the board determines that a Reduction in Force (RIF) is necessary. This policy will be applied in a fair and equitable manner without regard for age, race, color, religion, sex, or national origin and in accordance with state and federal law cited at the end of this document. The district may not RIF an employee without following the procedures established for this policy.

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Reasons for a Reduction in Force

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The board acknowledges its authority to conduct a reduction in force (RIF) when there is a decrease in district enrollment, discontinuance of or a reduction in a particular service or program, the a shortage of anticipated revenue after the budget has been adopted, discontinuation of temporary funding, or school consolidation.

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The district may consider the results of employee evaluation and a school's personnel needs when reducing positions and re-assigning staff. The board may direct the superintendent to eliminate individual positions when there is a decrease in district enrollment, discontinuance of or a reduction in particular service or program, the shortage of anticipated revenue after the budget has been adopted, or school consolidation, for the maintenance of a sound and

39 balanced educational program that is consistent with the functions and responsibilities of the
40 district. ~~i.e. educating students.~~

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42 The board directs the superintendent to develop procedures for the effective implementation of
43 this policy.

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46 **Delegation**

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48 The board of education hereby delegates to the superintendent the duty to identify which
49 programs or positions should be eliminated, combined, or reduced whenever a reduction in
50 force becomes necessary. In suggesting such action, the superintendent should consider and
51 notify the board:

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- 53 1. Why the Reduction in Force is necessary.
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55 2. Which positions can best be eliminated, combined or modified to meet the educational
56 goals of the school district.

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58 In considering which positions to eliminate, combine or modify in the best interests of education
59 in the school district, the Superintendent may, at their discretion, consider the following factors:

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- 61 1. the results of an employee's performance evaluation; and
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63 2. a school's personnel needs.

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66 **"Last Hired, First Fired" Procedure for Layoffs Prohibited**

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

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74 **Scope of Policy**

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76 This policy applies to reduction in force of both certified employees and education support
77 professional employees.

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80 **Legal References**

81 [Title VII, Civil Rights Act of 1964](#)

82 [Age Discrimination in Employment Act of 1967](#)

83 [Equal Pay Act of 1963](#)

84 [Title I, Americans with Disabilities Act of 1990](#)

85 [Civil Rights Act of 1991](#)

86 [Section 501 of the Rehabilitation Act of 1973](#)

87 [Pregnancy Discrimination Act](#)

88 [Utah Code 53G-11-516](#)

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91 **Approved by Board of Education** May 13, 2014

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DRAFT