

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

**Policy Code: 7920**

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

**A. GROUNDS FOR REDUCTION IN FORCE**

A reduction in force may be implemented when the board determines that any of the following circumstances have resulted in the need to decrease the number of positions held by employees to whom this policy applies.

1. System Reorganization

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

2. Declining Enrollment

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

3. Financial Exigency

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

**B. PRELIMINARY DETERMINATION**

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

2. When the superintendent believes that grounds exist for a reduction in force, the superintendent will present a recommendation to the board. The recommendation must include:
  - a. the grounds for a reduction in force;
  - b. the number or estimated number of employee positions to be reduced, categorized by area(s) of licenses and/or program responsibility; and
  - c. the background information, data, and rationale for the recommendation.
3. 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.
4. 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.

**C. CRITERIA**

The primary consideration in any reduction in force will be the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the school system. The superintendent shall consider a variety of factors, including the following, in determining which employees will be included in the reduction in force:

1. work performance and evaluation ratings;
2. areas of licensure;
3. program enrollment;
4. service in extra duty positions and ability to fill such positions;
5. length of service, with higher priority given to service in this school system; and
6. degree level.

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

**D. PROCEDURE FOR TERMINATION**

The board will consider the superintendent's recommendation and may, by resolution, order dismissal or demotion of an individual or reduce an individual to part-time

employment. All requirements of G.S. 115C-325 will be met, including time limits and procedures for notice and opportunity for a hearing, when any career teacher (as defined in G.S. 115C-325) is terminated, demoted, or reduced to part-time employment due to reduction in force or when any probationary teacher (as defined in G.S. 115C-325) is terminated, demoted or reduced to part-time employment during the term of the contract due to a reduction in force.

**E. TERMINATION/REEMPLOYMENT OF A CAREER EMPLOYEE**

When a career teacher is dismissed in accordance with this policy, his or her name will be placed on a list of available employees to be maintained by the board. Career teachers whose names are placed on such a list will have a priority on all positions for which they are qualified which become available in the school system for the three consecutive years succeeding their dismissal. If the school system offers the dismissed teacher a position for which the teacher is licensed and the position is refused, the teacher's name will be removed from the priority list.

**F. NONRENEWAL OF AN EMPLOYEE**

The board, upon recommendation of the superintendent, may refuse to renew the contract of a probationary teacher or to reemploy any teacher who is not under contract for any cause it deems sufficient. The nonrenewal of a probationary teacher contract or non-reemployment of any teacher who is not under contract is not considered a "termination" under this policy. As a result, the procedures set forth in this policy will not be required to be followed before the board's decision not to renew or reemploy such employee.

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

Cross References:

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Revised: March 16, 2009; June 7, 2010; July 11, 2016, November 5, 2018