

## **Instructional Staff Reduction in Force**

### **Definitions**

1. "Cancellation of employment" means the cessation of employment of a teacher when there is a justifiable reduction in the number of teaching positions in the school district for reasons of fiscal exigency or program change.
2. "Teacher" means any person who is regularly licensed by the teacher certifying authority for the state of Colorado and who is employed fulltime to instruct, direct or supervise the instructional program, except those persons holding letters of authorization.
3. "Fiscal exigency" means any significant decline in the Board of Education's ability to fund the operation of the district.
4. "program change" means any elimination, curtailment or reorganization of curriculum, program or school operation, or a reorganization of curriculum, program or operation, or a reorganization or consolidation of two or more individual schools. A program change need not be caused by fiscal exigency.
5. "Day" means every day including Saturdays, Sundays and teacher work days, but does not include official school holidays such as Thanksgiving and Christmas.

### **General grounds for cancellation of employment**

Cancellation of employment may take place when the Board of Education decides that a fiscal exigency exists or a program change is to be made that requires cancellation of one or more teaching positions. Such a decision may be made and any resulting termination may be effected only in accordance with this policy and the accompanying procedures.

### **Board of Education's preliminary determination and statement**

If the Board decides that cancellation of employment of one or more teachers may be required, it shall prepare a statement that identifies with reasonable particularity the reasons for the decision. This statement shall be transmitted to the superintendent of schools and school district faculty. The Board shall establish the actual number of professional staff to be reduced consistent with the Board's authority to establish educational programs within the district.

### **Superintendent's action**

Within 20 days after receiving the statement from the Board, the superintendent shall submit to the Board recommendations for canceling the employment of particular teachers. In making this recommendation, the superintendent shall not be limited to considering only the teachers in the areas or program designated by the Board in its initial statements. The superintendent shall, insofar as possible, meet the reduction in force by normal attrition such as layoffs, retirements, leaves of absence or transfer of assignments.

When cancellation of a teaching position occurs within any particular endorsement areas, the contracts of first-year probationary teachers who are occupying such positions shall be canceled first.

If further reductions are necessary cancellation of contracts of second and third year probationary teachers and non-probationary teachers then shall be considered as a group. In accordance with state law, this provision shall not create any express or implied property right or contract right for second and third year probationary teachers.

The superintendent may consider the following factors in recommending a teacher for cancellation of employment:

1. The needs of the district.
2. Professional experience including experience as an administrator.
3. Education.
4. Length of service.
5. Merit.
6. Affirmative action considerations.

Adopted: March 19, 2002  
Reviewed: November 17, 2015

LEGAL REFS.: C.R.S. 22-60.5-101 *et. seq.* (teacher licensure law)  
C.R.S. 22-63-202(3) (employment contracts)