

REGULATION

NUTLEY SCHOOL DISTRICT

TEACHING STAFF MEMBERS
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Conduct of Reduction in Force

R 3146 CONDUCT OF REDUCTION IN FORCE

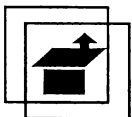
In accordance with the policy of the Board to deal fairly with any staff member affected by a reduction in force, the following guidelines shall be followed:

A. Records

1. A record shall be entered and maintained for every district teaching staff member on which shall be entered:
 - a. The member's name,
 - b. The certificates and endorsements thereon earned by the teacher and the date on which each was acquired (with the certificate title stated exactly as it appears on the certificate),
 - c. The positions in the district held by the member (with the position title stated as it appears in the minutes of the meeting at which the member was appointed to that position),
 - d. The date on which employment in each position began.
2. The certificates and endorsements of each prospective teaching staff member shall be submitted to the Superintendent for inspection and verification.

B. Position Changes

1. Changing circumstances in the district which might warrant the abolition of position(s) shall be presented to the Superintendent with such recommendations for abolishment or revision of positions as may be necessary.
2. A seniority list shall be prepared for each position or category of employment to be affected by the proposed abolishment. Affected positions are those positions previously held by the employees holding positions to be abolished or by employees who will be replaced by such transferred employees. Such list shall indicate:



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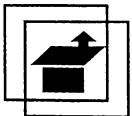
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- a. The title of the position as it is recorded in the minutes of the meeting at which the Board created the position,
 - b. The certification or certifications which qualify a candidate to hold that position,
 - c. The names of all present district employees and all employees dismissed for reduction in force who have held that position, including the date on which their service in that position began.
3. Holders of positions to be abolished or revised will be notified by order of the Board of Education.
- C. Reduction in Force (Nontenured)
1. When a nontenured employee is to be terminated due to a reduction in force -
 - a. Dismissal notice will be given in accordance with the terms of the employee's contract, or
 - b. Notice of nonrenewal will be given in accordance with statute.
 2. When a determination must be made as to whom among two or more nontenured teaching staff members shall be dismissed for reduction in force, the member shall have preference who has demonstrated the greater degree of teaching competence and promise of success in the district. Such determination shall be made on the basis of district evaluations of the employee by the Superintendent and with approval of the Board.
- D. Reduction in Force (Tenured)
1. When the employee affected by a reduction in force is tenured, he/she shall be transferred to another position in the same category, provided he/she has seniority in that category over the incumbent(s). If there are no positions he/she can fill in that category, he/she shall revert in reverse chronological order to each category of employment in which he/she was previously employed in the district and shall be privileged to replace any employee who has less seniority in that category.
 2. When there are no district positions which the tenured employee affected by a reduction in staff can claim by superior seniority, he/she shall be dismissed, shall



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receive sixty days notice of such dismissal, and shall be placed on eligible lists for each category in which he/she was employed by the district.

3. The seniority of each tenured teaching staff member shall be calculated by totaling the time he/she served in each position to which he/she has been appointed by the Board, in accordance with seniority rules of the State Board of Education. Service in any category shall be credited toward seniority in categories in which the employee was previously employed in the district, but service in the categories of previous district employment shall not be credited toward categories of subsequent employment.
4. When a determination must be made as to who among two or more tenured teaching staff members with the same seniority status shall be dismissed for reduction in force, the member shall have preference who has demonstrated the greater degree of teaching competence and promise of success in the district. Such determination shall be made on the basis of district evaluations of the employee.

Issued: 3 May 2004

