

REDUCTION IN FORCE/ABOLISHING A POSITION

The Board of Education reserves the right under state law to abolish unilaterally any existing position in whole or in part and to reduce the number of employees in any category for reasons of economy, reduction in the number of pupils, change in the administrative or supervisory organization, change in the educational program or other good cause.

Should it become necessary to reduce the number of employees in the district, the laws and regulations of the state shall be the controlling guides. If, in the case of such reduction, candidates for termination are nontenured personnel only, the primary basis for selection for termination or reduction shall be the needs of the district's educational program and the individual's contribution toward achievement of that program based on properly completed observations and evaluations.

If, in the case of such reduction, candidates for termination or reduction in grade are tenured in this district, the state regulations regarding seniority shall be the primary basis for decision. In the event that there should be equal applicable seniority among staff members, the decision for reduction or termination shall be based on the needs of the district's educational program and the individual's contribution toward achievement of that program based on properly completed observations and evaluations.

In no case shall any choice be based on arbitrary, capricious or discriminatory reasons.

The Superintendent shall prepare guidelines for restructuring positions and for determining objectively which employees are to be dismissed as a result, and shall present his/her recommendations to the Board for action.

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Legal References: N.J.S.A. 18A:28-9 Reduction of force;
power to reduce and
reasons for reduction
N.J.S.A. 18A:28-10 Reasons for
dismissals of persons
under tenure on
account of reduction
N.J.S.A. 18A:28-11 Seniority; board to
determine; notice and
advisory opinion
N.J.S.A. 18A:28-12 Dismissal of persons
having tenure on re-
duction; reemployment
N.J.A.C. 6:3-5.1 Standards for
determining seniority
N.J.C.A. 6:11-3.3 Assignment of titles
Dennery v. Passaic County Regional High
School District Bd. of Ed., 131 N.J. 626
(1993)

Possible
Cross References: *2131 Chief school administrator
*4116 Evaluation
*4117.41 Nonrenewal

*Indicates policy is included in the Critical Policy
Reference Manual.