

## REGULATION

### G-5811 Professional Staff Reduction in Force

#### 1) Preparation of R.I.F. Plan

When the Superintendent concludes that a Reduction in Force is necessary, a plan for R.I.F. shall be developed for presentation to the Board. The R.I.F. plan shall not identify individuals to be discharged or terminated, but rather shall focus upon the total educational program of the district and how it may be modified to reduce costs, programs and personnel while still providing the educational program required of school districts and the particular educational needs of the district. Where circumstances warrant, a R.I.F. plan may address particular programs, departments, school sites, content areas or activities if the causes for the R.I.F. predominately impact that aspect of the educational program. Such impact shall be described in the R.I.F. plan. The R.I.F. plan shall include, but need not be limited to, the following:

- a) A detailed description of the cause or causes requiring a R.I.F.;
- b) A description of all adjustments already made by the Administration in an attempt to avoid a R.I.F., if any (e.g. reduction by attrition, cuts in non-licensed staff, abolition of non-essential services or activities such as extra-curricular programs, etc.)
- c) A designation of the part or parts of the total educational program or particular program or activity in which the R.I.F. is proposed and the number of positions proposed to be reduced in each program or activity;
- d) A designation of non-essential services or activities which are to be retained, with a justification for retaining such programs; and
- e) A discussion of alternatives (if any) considered by the Superintendent with an explanation as to why such alternatives were rejected.

The Superintendent shall include in the R.I.F. plan a listing of all extra-curricular, co-curricular and athletic programs or activities which may be considered for rating points in the proposed R.I.F. rating sheet and the proposed weight to be given each category of such programs or activities for discussion at the public meeting at which the R.I.F. plan is considered.

#### 2) Board Considerations.

The Board shall consider the recommendations of the Superintendent for the adoption of the R.I.F. plan at a duly-called board meeting, the public notice of which announces that a R.I.F. will be considered. The discussion and action on the plan shall be in open session; however, nothing herein shall restrict the Board from holding portions of those discussions in closed session, if such

discussion would be proper under the New Mexico Open Meetings Act. The Board may allow such review, consultation, and comment by employees and members of the public, as the Board, in its discretion, deems appropriate. The Board may propose modifications to the plan recommended by the Superintendent as it deems appropriate, provided that the Superintendent shall be the final decision-maker on the content and scope of the plan after giving due consideration to the Board's proposals.

If a mid year R.I.F. is proposed which would require the discharge of tenured certified staff, the Superintendent and Board shall adopt a joint determination that as to the projected financial burdens to the District in the future and concluding the District cannot survive financially for the fiscal year already underway, if the R.I.F. is not carried out. Any final plan for a R.I.F. shall be made available to all staff, by providing copies thereof in the office of each building principal and at the Superintendent's office, within two (2) work days after the final plan has been approved by the Superintendent.

3) Adopted Plan

If a R.I.F. plan is adopted, the Board shall not be required to deplete its operational cash balances maintained or carried over as permitted by NMSA 1978 § 22-8-41C and Section 71, Laws 2003, Ch. 153 in order to avoid the R.I.F., if the Board, in its discretion, determines that the cash balance must be maintained at the level determined by the Board, in order to cover other permitted expenditures or as a contingency for unforeseen expenditures or emergencies. Based upon the R.I.F. plan approved by the Board, the Administration shall perform a study of the school district's personnel to determine which person or persons must be wholly or partially terminated or discharged in order to implement the plan. The primary concern to be applied in making the R.I.F. selections shall be the Board's interest in maintaining a sound and balanced educational program which is accredited and meets state and federal or regulatory requirements or standards, as well as the educational and extra-curricular program established for the District. In performing the study, the School Administration shall prepare a rating sheet and apply a point scale using the criteria applicable to the affected personnel specified in the following section.

Adopted: October 02, 2006