

# MOU

## March 2020

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SUBJECT: REDUCTION IN LICENSED STAFF

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### I. Board Directive

The Board recognizes that licensed staff should be placed in the school that will best fit the educational needs of the students in the District. When circumstances make it necessary to reduce staff, orderly procedures are to be implemented in accordance with Utah Code § 53G-11- 516. This policy is intended to be consistent with the [Public Education Human Resources Management Act §53G-11-501](#) et seq.

### II. Administrative Policy

#### A. Reduction in Staff (RIS)

1. In the event of declining enrollment, the discontinuance or substantial reduction of a particular service or program, the shortage of anticipated revenue, school consolidation, or other unforeseen circumstances, it may become necessary to initiate a RIS. If a RIS is necessary, seniority will not be used in determinations; however, decisions may be within the discretion of the school/program using a rubric as outlined in the “Reduction in Staff Guidelines” to consider the following:
  - Program and staffing needs of the school / District
  - Employee performance evaluation (appropriate for the job classification)
2. All teachers, including those on a plan of assistance or probation, may be affected by a RIS.
3. For licensed employees who are to be affected by a RIS, the school / program administrator will submit RIS recommendations to the Administrator of Schools and the Administrator of Human Resources for approval.
4. Under normal circumstances, licensed employees who are to be affected by a RIS and potentially subject to a Reduction in Force (RIF), shall receive at least thirty (30) days notice from the Human Resource Department. This RIS/RIF notice to licensed employees will serve as the thirty (30) days notice should the employee not be able to secure a position with the District.
5. Teachers affected by a RIS will be eligible to participate in transfers as per policy [DP304 NEG – Teacher Transfers](#).
6. If an employee is subject to a RIS at a school and a position for which they are qualified opens up at the same school before ten (10) calendar days prior to the New Teacher Induction, the employee has the option to return to their school. At the time of the RIS meeting with the principal, the employee will sign a form indicating whether or not he/she wants to return to the school. If no, the principal has no obligation to contact the employee and may move forward with the hiring process. If yes, the principal must use the two methods indicated on the RIS form and wait 48 hours to hear from the employee before proceeding with the hiring process. If the employee responds to the principal within 48 hours, the principal must allow the employee to return to his/her original position, cancelling the RIS.
7. An employee subject to a RIS will be given the opportunity to substitute for up to one-year at the same pay and benefits as if they had retained their previous position.

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8. Teachers affected by a RIS may apply [online](#) for available positions for which they are qualified in addition to any transfer request entered into Skyward. However, there is no guarantee of continued employment. If after a RIS and one-year serving as a substitute teacher the teacher has not been hired for an available position, the employee will be subject to a RIF.

B. Reduction in Force (RIF)

1. In the event of declining enrollment, the discontinuance or substantial reduction of a particular service or program, the shortage of anticipated revenue, school consolidation, or other unforeseen circumstances, it may become necessary to initiate a RIF. If a RIF is necessary, seniority will not be used in determinations; however, decisions may be within the discretion of the district to consider the following:
  - Program and staffing needs of the school / District.
  - Employee performance evaluation (appropriate for the job classification).
2. Under normal circumstances, licensed employees who are to be affected by a RIF, shall receive at least thirty (30) days' notice.

C. Rehire

1. If a licensed employee is terminated through a RIF, the employee will be contacted and given the opportunity to interview for available positions for which they apply online and are qualified within one (1) year of the date of the RIF. However, there is no guarantee of continued employment.
2. If a licensed employee is terminated through a RIF and rehired during the same contract year, the employee's salary placement shall remain unchanged. If the terminated employee is rehired during a subsequent year, salary placement will move up one level, provided a salary increase was authorized by the Board of Education and included on the current salary schedule. If the employee applies and qualifies for a salary change between the times of the RIF and rehiring during a subsequent year, salary placement will be on the higher level provided a salary increase was authorized by the Board and included on the current salary schedule.
3. A licensed employee who is rehired following termination through the RIF process, shall have accrued sick leave and other leave benefits reinstated at the level existing at the time of the RIF, provided the benefit was authorized by the Board for the current academic year.

History of revisions: 9/13/11, 2/23/16

Recodification: 5/2018