
AURORA PUBLIC SCHOOLS
Adopted June 1993
Reviewed February 2008

APS Code: GCQB

ADMINISTRATIVE STAFF REDUCTION IN FORCE

The Superintendent is authorized to develop procedures to be followed in reductions in force of administrative employees.

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If the Board, in its judgment, determines that administrators should be laid off (meaning cancellation of employment as an administrator) by reason of financial consideration, declining enrollment, program change or for other reasons which, in the judgment of the Board of Education, justify a decrease in the number of administrative positions, the District will follow the process outlined below.

1. The Board of Education shall prepare a statement explaining the justification for the reduction in force.
2. The employee job classification subject to reductions will be identified by the Superintendent with the consultation of such others as the Superintendent deems appropriate.
3. The Superintendent will, with the consultation of such others as the Superintendent deems appropriate, identify the number of administrators to be recommended for reduction from each job classification.
4. After subtracting known resignations, retirements, terminations for cause and voluntary reassignments, the Superintendent will, with the consultation of such others as the Superintendent deems appropriate, determine from the total employees in the subject job classification those to be recommended for retention in the District.

Retention may be based on past performance, demonstrated leadership skills, contributions to the District, years of satisfactory performance in the District, leadership potential, the needs of the District and such other criteria as deemed appropriate by the Superintendent in the best interest of the District. After those to be recommended for retention have been identified, those remaining will then be designated the specific individuals to be recommended for reduction.

5. The Superintendent shall submit to the Board of Education the recommendations for those administrative positions which should be reduced and the Board shall make the final decisions.
6. The reduced administrator shall be given written notice of the reduction and the notice shall include a statement of the conditions requiring the reduction, a general description of the process followed in making the decision, and a statement of the pertinent financial or other data on which the decision was based. The reduced administrator may be assigned to any other administrative position for which the individual is qualified as determined by the

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Superintendent. If such an assignment is not made the individual may be reassigned to a teaching or support services position for which the individual is qualified. In the event that any administrator is to be reduced, every effort shall be made to give written notice to the administrator at least 60 calendar days prior to the effective date of the reduction. If the administrator is given less than 60 days' notice, the administrator shall receive the same pay for the period of 60 calendar days after notice as the individual would have, had the individual remained in the position, even though the administrator is not employed as an administrator for part of that time period. If the administrator is given 60 days' notice or more, the individual shall remain on the administrative salary until the effective date of the reduction.

If an administrator is placed in a non-administrative position after the reduction, the individual shall be placed on the teacher or support services salary schedule at the position to which the individual would have been entitled had the individual been on or remained on that salary schedule during the time the individual was occupying the administrative position.

7. All reasonable efforts will be made to ensure that the determination of reductions is made in a timely fashion and that the need or desire of reduced employees to seek other employment is recognized. The District will make available, on request of the reduced employee, any available information regarding administrative vacancies in other districts. Use of the Employee Assistance Program will be available through the term of employment with the District.
8. The reduced employee has the right to be considered for and granted an interview for any administrative openings for which the individual is qualified for one year.
9. The employee's health insurance eligibility shall continue in accordance with COBRA Regulations.
10. Within 14 calendar days after receiving the notice of being reduced, an administrator may request a review of the action by the Board of Education. The request must be in writing and addressed to the Superintendent. The notice must indicate whether the administrator will be represented by an attorney at the hearing. It must specify the grounds on which it is contended that the decision was improper under this regulation and must include a short, plain statement of facts that the administrator believes support the contention. Submission of the request constitutes a representation on the part of the administrator that the individual can

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support the contention with factual proof.

When appropriate, the Board may delegate the responsibility for conducting the hearing to a hearing officer selected by the Board. When appropriate, more than one case may be heard at the same time. The hearing officer's review may be had solely to determine the following:

- a. Was there a rational basis for the determination that a reduction in the number of administrative positions was appropriate because of financial considerations or for other reasons;
- b. Was the reduction process arbitrary or capricious; and
- c. Was the decision to cancel the employment of the specific administrator arbitrary or capricious.

The Board shall consider the request and shall schedule the hearing to be held within 14 days after the request is received. The administrator shall be given at least five days' notice of the hearing.

11. Except as otherwise specified in this regulation, the hearing shall be conducted pursuant to the Board policy on "Appeal Proceedings," (policy GBK-3-E) except that the employee shall have the obligation to present evidence first and then the chief personnel officer or designee shall give evidence.

CROSS REF.: GBK-3-E, Appeal Proceedings