

Reduction in Force

I. Purpose

The Fargo Public School District (“District”) is committed to providing a stable and supportive work environment. However, circumstances such as declining enrollment, budget constraints, operational efficiencies, program changes, or organizational restructuring may necessitate a Reduction in Force (“RIF”). This policy outlines the procedures and criteria for implementing RIF.

II. Scope

These guidelines apply to all District employees in compliance with applicable federal and state laws, district policies, and collective bargaining agreements.

III. General Principles

1. The District will make every effort to avoid RIF through budgetary adjustments, attrition, and reassignment.
2. Any RIF decision will be based on the best interests of learners, operational efficiency, and fiscal responsibility.
3. The District will ensure transparency, fairness, and compliance with all legal obligations.
4. If a program is eliminated, the teachers directly associated with that program will be identified for RIF. A program is a broader, organized set of courses and experiences designed around a theme, pathway, or learning model.
5. If a course is eliminated, the normal staffing process will be utilized to determine Full Time Equivalent (FTE) in each curricular area. A course is a single class focused on a specific subject or skill area.
6. Staffing will align with operational needs.

IV. Criteria for Reduction in Force

The first two criteria will be considered, in the order specified below, when determining which positions may be reduced. The other two criteria will be a cumulative score between the two areas.

Licensed Teachers, Principals, and Associate Superintendents

1. Licensure and Certification: Compliance with state requirements for subject areas.
2. Performance Evaluations: Based on formal evaluations and includes classroom observations from the past three years. It will be an average for the three years. Educators who have taken unapproved days without pay will be scored as a 1.
 - Note: Approved loss of pay day/s will not count towards scoring.
3. Professional Contributions: Leadership roles, extracurricular involvement, and professional development activities for the past three years will be considered. Professional development activities are linked to strategic initiatives and approved by the district.

- Note: An advanced degree (i.e.—Master’s or Doctorate) or additional program (i.e.—obtaining a new credential or license area) will not count for professional development.
4. Seniority: Consideration of continuous length of service within District.

At-Will Employees

1. Skills and Qualifications: Job-specific expertise, certifications, and versatility.
2. Job Performance: Documented performance evaluations and contributions.
3. Attendance and Conduct: Record of reliability and adherence to district policies.
4. Seniority: Length of continuous service within FPS may be considered where applicable.

V. RIF Implementation Process

1. Notification & Communication
 - The Superintendent will present recommendations to the School Board for approval if required by North Dakota Century Code 15.1-15-05.
 - Affected employees will be notified in an in-person meeting. Following the meeting, a letter will be provided that identifies any statutory deadlines stating the reason, effective date, and available support resources.
 - Employees may be offered reassignment opportunities based on qualifications and district needs.
2. Severance & Benefits
 - Eligible employees may receive severance in accordance with contract terms or district policy.
 - Information on COBRA continuation of health benefits and unemployment assistance will be provided by the Human Capital Department.
 - The benefits for employees who are RIF will end when the fiscal year concludes.

VI. Recall Rights & Reemployment of Teachers

Teachers who are reduced due to RIF may be placed on a recall list pursuant to the Negotiated Agreement between the Board of Education and the Fargo Education Association.

VII. Conclusion

The District values its employees and will ensure that any necessary reductions are conducted in a manner that prioritizes educational excellence, operational effectiveness, and legal compliance. Support services will be provided to assist affected employees in their transition.

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