

## NOT VALID DUE TO WAIVER

### Instructional Staff Reduction in Force

#### Definitions

1. “Cancellation of employment” means the cessation of employment of a teacher when there is a justifiable reduction in the number of teaching positions in the [charter school](#) for reasons of fiscal exigency or program change.
2. “Teacher” means any person who is regularly certified or licensed by the teacher certifying authority for the state of Colorado and who is employed full-time to instruct, direct or supervise the instructional program, except those persons holding letters of authorization. This shall also include individuals who are teaching without certification or license because of the current waiver to the policy.
3. “Fiscal exigency” means any significant decline in the [Charter Board](#)’s ability to fund the operation of the [Charter School](#).
4. “Program change” means any elimination, curtailment or reorganization of curriculum, program [or school operation, or a reorganization](#) or consolidation of two or more individual schools. A program change need not be caused by fiscal exigency.
5. “Day” means every day including Saturdays, Sundays, and teacher work days, but it does not include official school holidays such as Thanksgiving and Christmas.

#### General grounds for cancellation of employment

Cancellation of employment may take place when the [Charter Board](#) decides that a fiscal exigency exists or a program change is to be made and any resulting termination may be effected only in accordance with this policy and the accompanying procedures.

#### [Charter Board](#)’s preliminary determination and statement

If the [Charter Board](#) decides that cancellation of employment of one or more teachers may be required, it shall prepare a statement that identifies with reasonable particularity the reasons for the decision. This statement shall be transmitted to [the administrator and the charter school faculty](#). The [Charter Board](#) shall establish the actual number of professional staff to be reduced consistent with the [Charter Board](#)’s authority to establish educational programs within the [charter school](#).

**Administrator's action**

Within 20 days after receiving the statement from the Charter Board, the administrator shall submit to the Board recommendations for canceling the employment of particular teachers. In making this recommendation, the administrator shall not be limited to considering only the teachers in the area or program designated by the Charter Board in its initial statements. The administrator shall, insofar as possible, meet the reduction in force by normal attrition such as layoffs, retirements, leaves of absence, or transfer of assignments.

When cancellation of a teaching position occurs within any particular endorsement area, the contracts of first-year probationary teachers who are occupying such positions shall be cancelled first.

If further reductions are necessary cancellation of contracts of second and third year probationary teachers and nonprobationary teachers then shall be considered as a group. In accordance with state law, this provision shall not create any express or implied property right or contract right for second- and third-year probationary teachers.

The administrator may consider the following factors in recommending a teacher for cancellation of employment:

1. The needs of the charter school.
2. Professional experience including experience as an administrator.
3. Education.
4. Length of service.
5. Merit.
6. Affirmative action considerations.

LEGAL REFS.: C.R.S. 22-60-105  
C.R.S. 22-60.5-403  
C.R.S. 22-63-202 (3)

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Lake George Charter School