



This Bill Analysis reflects the contents of the bill as it was presented in committee.

SENATE BILL 95: Performance-Based RIF/School Policy

2015-2016 General Assembly

Committee:	Senate Education/Higher Education	Date:	April 28, 2015
Introduced by:	Sens. Barefoot, Soucek	Prepared by:	Drupti Chauhan and Kara McCraw
Analysis of:	First Edition		Committee Counsel

SUMMARY: Senate Bill 95 would direct local boards of education (local boards) to adopt performance based reduction in force policies.

CURRENT LAW: Both career teachers and teaches during the terms of their contract can be dismissed for one of 15 reasons stated in both G.S. 115C-325(e)(1) and G.S. 115C-325.4 including a "justifiable decrease in the number of positions due to district reorganization, decreased enrollment, or decreased funding". For career teachers, written notice must be given to them before the superintendent recommends dismissal under reduction in force to the local board and they can request a hearing before the local board. If a career teacher is dismissed because of reduction in force, the teacher's name must be placed on a list of available career employees maintained by the local board.

Section 7.23 of S.L. 2011-145 directed local boards of education to adopt reduction in force policies that included the information in this bill by July 15, 2011. This bill would codify and put that requirement in the statutes.

BILL ANALYSIS: Senate Bill 95 would direct local boards of education to policies on implementing a reduction in force for both career teachers and teachers during the terms of their contract. The policy must provide that in determining which positions would be subject to a reduction in force, the following must be considered:

- Structural considerations such as identifying positions, departments, courses, programs, operations, and other areas where there are:
 - Less essential, duplicative, or excess personnel.
 - Job responsibility and position inefficiencies.
 - Opportunities for combined work functions.
 - Decreased student or other demands for curriculum, programs, operations or other services.
- Organizational considerations such as anticipated organizational needs of the school system and program or school enrollment.

Work performance and teacher evaluations shall also be considered when there are teachers in similar positions.

EFFECTIVE DATE: The bill would become effective when it becomes law.

O. Walker Reagan
Director



Research Division
(919) 733-2578