

## Mandate Review Request #2012070014

**Note:** All information below was provided by the local government/Mandate Relief Council Member requesting that a mandate be reviewed. Neither the Council nor its staff has verified the accuracy of the information provided or made any other edits.

**Name of Local Government:** City School District of New Rochelle  
**Type of Local Government:** School District  
**County:** Westchester

**Name of Mandate:** Last In, First Out - LIFO

**Type of Mandate:** Regulation/Rule/Order

**Citation for Mandate:** Education Law Sections 2510 and 3013 (cities)

**Description of Mandate:** FISCAL REFORM

Last In, First Out – LIFO

Seniority should not be mandated as the sole factor when reducing tenured staff.  
Education Law Sections 2510 and 3013 (cities).

Using Last In, First Out—LIFO is not educationally sound decision-making because it prohibits a district from considering such factors as, but not limited to, expertise, skill, quality of instruction and specialized certification. For example, teachers certified in French and Spanish all fall within the same tenure area of foreign language. While the least senior member of the foreign language department may be a “French expert” teacher, and no one else in the department possesses that same expertise, the least senior member, i.e., the “French” teacher, would be the faculty member excessed in the foreign language tenure area, thus forcing the district to either retain a less qualified member of the teaching staff, i.e. a “Spanish” teacher who may lack the certification required to teach the French class(es), or eliminate the program. This example is one of many possible scenarios that can affect multiple subject areas in secondary education outside of foreign language.

**Recommended Change:** Using Last In, First Out—LIFO is not educationally sound decision-making because it prohibits a district from considering such factors as, but not limited to, expertise, skill, quality of instruction and specialized certification. For example, teachers certified in French and Spanish all fall within the same tenure area of foreign language. While the least senior member of the foreign language department may be a “French expert” teacher, and no one else in the department possesses that same expertise, the least senior member, i.e., the “French” teacher, would be the faculty member excessed in the foreign language tenure area, thus forcing the district to either retain a less qualified member of the teaching staff, i.e. a “Spanish” teacher who may lack the certification required to teach the French class(es), or eliminate the program. This example is one of many possible scenarios that can affect multiple subject areas in secondary education outside of foreign language.

**Estimated Savings from the Recommended Change to the Local Government:**  
Unknown

**Estimated Statewide Savings from the Recommended Change:** Unknown

**Description of Methodology Used in Estimating Savings:** N/A