

AR 4117.3 - CERTIFICATED PERSONNEL - PERSONNEL REDUCTION/LAY OFF PLAN

Any reduction in staff which is required should be undertaken so as to minimize disruption to the education program and to the provision of instructional services to students, and should cause the least deviation from the present assignment of personnel. The terms "reduction in certificated staff" or "layoff" refer to action the district takes to reduce the number of certificated staff due to decreased enrollment and/or due to a reduction in the district's basic need in an amount established by law.

Position Categories

The following categories and specialties are established to ensure the qualifications of personnel assigned to retained positions:

Elementary teachers will be considered for retention in one category.

Secondary teachers (7-12) will be considered for retention by teaching specialties, such as Math, Science, Language Arts, Social Studies, Vocational Education (Industrial Arts, Home Economic, Vocational Business, Vocational Agriculture), or combination thereof.

Other certificated staff members will be considered for retention according to their specialties, which will include:

1. Music
2. Technology
3. Special Education
4. Librarian
5. Physical Education
6. Speech Pathology
7. Art

Qualifications

Each teacher, in accordance with criteria set forth in Section 3 below, will be considered for retention in the category of specialty appropriate to the position he or she holds at the time of the implementation of these procedures; and, in addition, in such other categories or specialties as any teacher may designate in writing to the Superintendent or designee, provided that in order to qualify for consideration in any such category, the employee must have:

1. For positions in grades K-8, an elementary endorsement.
2. For positions in middle school:
 - a. An elementary endorsement;
 - b. a secondary certificate with a subject area endorsement in the area of assignment constituting at least 40% of the teacher's time; or
 - c. within the five years preceding the last date of teaching in the district, the teacher has received an evaluation indicating that the teacher's performance in the relevant subject area(s) meets the district's performance standards.
3. For positions in grades 9-12.
 - a. endorsement for each subject area in which the teacher will spend at least 40% of teaching time; or
 - b. within five years preceding the last date of teaching in the district, the teacher has received an evaluation indicating that the teacher's performance in the relevant subject area(s) meets the district's performance standards.

Implementation

Teachers shall be considered for retention in available positions within the categories or specialties for which they qualify under Section 2. In the event that there are more qualified employees than available positions in a given category or specialty, the following criteria shall be used to determine which employees shall be recommended for retention. No tenured teacher will be placed on layoff status until the district has given notice of non-retention to all nontenured teachers. However, the district may retain a nontenured teacher and place on layoff status a tenured teacher if there is no tenured teacher in the district who is qualified to replace the nontenured teacher under the criteria in Section 2 above.

Hiring Preference

All teachers who are not retained in accordance with these procedures shall be laid off and placed in an employment pool for possible re-employment for a period up to three (3) years. Teachers placed in the employment pool under this layoff plan are entitled to a hiring preference. Teachers in the pool will be given the opportunity to fill open positions within the categories or specialties identified in Section 1, for which they are qualified under Section 2. If more than one teacher is qualified for an open position, the most senior teacher shall be offered the position.

When a vacancy occurs for which a teacher entitled to a hiring preference is qualified, notification from the district to the teacher will be by certified, return receipt mail. The teacher will have thirty (30) days from the receipt of the certified letter to accept the

position. If the teacher fails to accept the position offered, the teacher is no longer considered to be on layoff status and will be dropped from the reemployment pool, unless the teacher is contractually obligated to provide professional services to another district or educational program.

No new teacher shall be hired in a category or specialty identified in Section 1 until all qualified teachers in the reemployment pool category have been recalled or have declined an offer of recall.

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