

## **GUIDELINE 3131**

## **REDUCTION AND RECALL OF TEACHERS**

1. The Superintendent or Designee will determine if layoff is needed due to budgetary reductions.
2. The Superintendent or Designee will determine where the reductions in staffing are needed based on student enrollment, course requirements, and other factors that are in the best interests of the students and educational programs in Dearborn.
3. The Building Principals will work with the Superintendent (or designee) in order to implement a staff reduction in a particular building via a reduction process.
4. The building principal or department head will submit staffing recommendations to the Superintendent (or designee) that lists which type of teaching assignment will be reduced. (ex. Elementary, secondary with specific content area or areas).
5. The Superintendent (or designee) will develop a layoff and recall list with rankings in accordance with Section 9 and 10 of the layoff and recall policy. The lowest rated teacher in the content area where the reduction is needed will be the first layoff. This process will continue until all reductions are determined based on the rating system. The President of the DFT will be invited to participate in this process.
6. The Superintendent's designee will then submit recommendations to the Superintendent for board approved layoff based on the determination of the reduction of faculty.
7. Affected Teachers will receive layoff notices following approval by the board of education in accordance with state law.
8. If there is a reduction in a building where an employee is laid off then no further action will be necessary. However, in the case that a position is eliminated in a building or department where there are no layoffs, this will initiate a surplus (surplus is defined as not having a placement in the specific building or department) process in that building or department.

9. The formula for surplus will be the same formula that is outlined in section 9 and 10 of the board policy involving layoff and recall. However, any teacher that is rated minimally effective or ineffective will not be subject to surplus. This procedure is in alignment with district past practices and letters of agreement that recognize the need to not move teachers around the district when they are on an individualized development plan (IDP). The Superintendent or designee may choose not to adhere to this procedure if it is determined that the educational interests of the District would not be furthered by that procedure.
10. The Director of Human Resources will work with the DFT president to make a determination as to the placement of teachers that are surplus from a building or department. The teacher must be state certified and highly qualified in order to be placed in a specific vacancy. The Superintendent or designee will have the final say on all placement decisions.
11. The superintendent or designee reserves the right to realign all faculty throughout the district in order to reduce the number of layoffs and/or in the best educational interest of the students and district educational model.

### **Recall Guidelines**

1. Superintendent or Designee will determine where specific vacancies might be present throughout the district. If there are individuals on the layoff/recall list, they will be given the right to be placed in a vacant position (as long as they are not rated ineffective and are on the Plan III Discipline or Assistance Phase of the Evaluation).
2. The Superintendent or designee will then make recall decisions for teachers in order to fill the vacancies that are known.
3. Affected teachers will receive recall notices. The District shall provide written notice via email of recall to teachers and the teacher must accept recall in order to preserve the teacher's employment rights. The teacher on the recall list must respond within 48 hours of being offered a position via written notice (email, fax, or in person). The recall decisions will be submitted for board approval.
4. The superintendent or designee reserves the right to realign all faculty throughout the district in order to reduce the number of layoffs and/or in the best educational interest of the students and district educational model.

**Section 9 and 10 of Board of Education Policy 3131 on Layoff and Recall.**

9. A teacher's effectiveness rating shall be determined according to their most recent performance evaluation. This means that those teachers will be ranked in the following order.

- 1. Ineffective (lowest rating, first to be laid off)**
- 2. Minimally Effective Teachers**
- 3. Effective teachers**
- 4. Highly Effective teachers (last to be laid off).**

This process will also be followed when building principals and/or department heads submit surplus recommendations to the Human Resources Department unless the Superintendent or designee determines that the educational interests of the District would not be furthered by that assignment. The Human Resources Director will review and finalize surplus recommendations.

10 In the event of a tie in the effectiveness rating of teachers subject to potential layoff and/or recall, the tie will be broken based on the following criteria in rank order beginning with A and then going down the list to F.

- a. Those teachers with an ineffective rating will be ranked based on the current process that they are engaged in under the Plan III teacher evaluation process. This tie breaker only applies to teachers that are rated ineffective. This section does not apply to minimally effective, effective or highly effective teachers as a tie-breaker.
  1. Discipline Phase (first to be laid off).
  2. Assistance Phase (in this phase for 65 days or more).
  3. Assistance Phase (in this phase for 36-64 days).
  4. Assistance Phase (in this phase for 35 days or less).
- b. If a teacher is suspended for a total of 5 or more days over a 2 year period they will be laid off prior to those that have less than 4 days of disciplinary suspension(if any).
- c. Teachers on Step 6 or higher of the absence verification procedure will be laid off prior to those that are not.

- d. The teacher's attendance record, exclusive of any absences taken under the Family and Medical Leave Act or as a reasonable accommodation pursuant to applicable state or federal law. Professional absences will not be included in this calculation. The two most recent years will be calculated on attendance according to the school calendar for teachers (For the purpose of this ranking the 2 years of calculation will include the two proceeding schools year but will end on the same day that the Plan II teacher evaluation year-end documents are due in the Human Resources Department). Any teacher that has less than 16 days of absence over a 2 year period will receive the same rating under this category (the highest possible rating). For example a teacher with 5 absences over a two- year period will receive an equal rating to a teacher with 15 absences over a two-year period. A teacher with 16 or more absences will receive a lower rating. For example a teacher with 18 absences will have a higher rating than those with 20 absences. Teachers with higher levels of absenteeism will receive lower ratings on the layoff and recall list. It is the responsibility of each teacher to code their absence with the appropriate code. The district is not responsible for any absence coding errors. The individual employee must review this information in order to ensure accuracy. This information can be found on the AESOP and E-Voucher Databases.
- e. Attendance at District/Building Professional Development (PD) over a 1 year period. We will use full or half-day professional development days (that are agreed to via the collective bargaining agreement with the DFT for this calculation). The calculation will not include late starts, early arrivals, and staff meeting PD or PD that is scheduled by individual buildings or departments. The teacher's attendance record, exclusive of any absences taken under the Family and Medical Leave Act or as a reasonable accommodation pursuant to applicable state or federal law.
- f. The teacher's disciplinary record (if suspended for 4 days or less over a 2 year period) outcome. Those that receive suspension will be given a lower rating in this category versus those that receive a written reprimand or warning in their district personnel file.
- g. Seniority

\*Seniority and/or tenure status will not be a factor the District considers under this policy, except as a final tiebreaker. The layoff and/or recall of those covered by this policy are not subject to any grievance or arbitration procedure.

(Approved May 13, 2013)