

District Proposal #16
ABCE Counter Proposal #1
July 18, 2022

13.1 When it becomes necessary for the Board to lay off teachers, the following procedures will be followed:

A. Layoff

1. If layoffs become necessary all TOSA positions shall be eliminated first, **excluding any ABCE release positions.** Teachers in these positions shall be assigned to classroom teaching positions and be subject to the reduction provisions of 13.1.A.4.
2. The Superintendent shall determine the specific areas of teaching assignments to be eliminated. Once the specific areas of teaching assignments have been determined, reduction shall be made on a county-wide basis and shall be based upon educational program needs and the performance evaluations of employees within the affected program areas. The Association and the District shall meet to outline time lines and specific procedures to be utilized to implement this article.
3. Layoffs will be based upon areas of teaching assignments.
4. Once teaching assignments are determined, reduction shall be made on a county-wide basis as follows:
 - a. Part-time teachers shall be the first released, **exceptions may be made upon mutual agreement.**
 - b. **Preconditional teachers.**
 - ~~b.~~ ~~Employees holding temporary certification the next released.~~
 - ~~c.~~ **Fully certificated p**Probationary contract employees, the next released.
 - d. Employees holding temporary certification.**
 - ~~d.~~**e.** Within the program areas requiring reduction, the employee with the lowest performance evaluations must be the first to be released; the employee with the next lowest performance evaluations must be the second to be

released; and reductions shall continue in like manner until the needed number of reductions has occurred. If ties occur, the decision as to who shall be released shall be a coin toss and witnessed by the Association representatives.

B. Recall

1. The Board shall determine the certification areas in which recall will be made and the number of teachers to be recalled.
2. Teachers shall be recalled in reverse order of layoff within certification areas needed.
3. No new teachers shall be hired in a laid off teacher's certification area until all continuing contract teachers from that certification area have been recalled or have declined to accept recall within ten (10) days of notification.
4. Within fifteen (15) days of the receipt of a letter of recall a teacher shall notify the Human Resources Office, in writing, whether he/she will accept re-employment. Failure to respond to the letter of recall within the time required automatically terminates the teacher's right of recall. Each teacher shall notify the Personnel Office, in writing, of an address to which a letter of recall may be sent. Such letter shall be mailed to the teacher at said address by certified mail, return receipt requested. If no such address shall be recorded, the letter shall be mailed to the teacher at the last address recorded in the Human Resources Office.

13.2 Any teacher who would have qualified to commence receiving retirement benefits following the reduction year shall be permitted to teach that year so as to acquire needed service.

13.3 The School Board may grant personal leave without pay to any teacher affected by a reduction.

13.4 Insurance shall be made available at group rates in accordance with law.

Deleted language is identified with a ~~strike through~~.

New language is identified in **boldface and is underlined**.