



## **SECTION V: EMPLOYEES**

## **POLICY 5260**

### **REDUCTION IN FORCE OF TEACHING STAFF**

A career teacher may be non-reemployed or a probationary teacher may be dismissed or non-reemployed when the Board of Education determines that due to (i) a financial exigency or (ii) a program change for institutional reasons or (iii) a decline in enrollment or (iv) other business necessity as determined by the Board, which said necessity requires a reduction in the teaching staff, that the District cannot enter into contractual obligations to one or more teachers for a future school year or, as to probationary teachers, cannot continue to meet existing contractual terms.

Financial exigency means a reduction in the District's financial resources resulting from declining enrollment or any other action or event that in the judgment of the Board of Education will result in a reduction in the District's current or future operating budget.

Program change means any elimination, curtailment or reorganization of a curriculum offering, program or school operation or a reorganization or consolidation of two or more individual schools that is unrelated to financial exigency.

Declining enrollment means a decrease in the District's total enrollment or enrollment in a particular program or curriculum offering which in the judgment of the Board may adversely affect the District's current or future allocation of funds and/or the necessity of maintaining current or future class sections or curriculum offerings.

The Board is responsible for the establishment and maintenance of the highest quality and balanced education program possible. It also must employ and maintain the best staff possible to execute its legal and moral responsibilities to the community, the parents, and the students. Accordingly, if the need to reduce staff is determined and if authorized by the Board, the following guidelines are established as a fair and equitable procedure.

The initial factor in reducing staff will be determining the academic positions or programs to be eliminated, without regard to the individuals who occupy the positions or serve in the programs.

The Board will attempt to reduce staff first by normal attrition, and second by procedures based on certification, length of service and professional competency. (All references to competency in this document shall refer to the performance ratings of the teacher on the formal evaluations for the current and two preceding school years.)

In accordance with the provisions above, the process of selecting those teachers occupying eliminated positions to be released is as follows:

1. Licensed teachers assigned to positions which have been eliminated will be released first.
2. Probationary teachers assigned to positions which have been eliminated will be released second. However, if a probationary teacher is certified and highly qualified in a retained position held by a licensed teacher, the probationary teacher will be reassigned to that position, and the licensed teacher will be released.



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3. Career teachers assigned to positions which have been eliminated will be released third. However, if a career teacher is certified and highly qualified in a retained position held by a licensed or probationary teacher, the career teacher will be reassigned to that position, and the licensed or probationary teacher will be released.

If more than one certified and highly qualified teacher is being considered for release from an eliminated position, the following criteria, in the order stated, will be used to determine which of the teachers will be released:

1. Certification and Seniority
  - Certification in a teaching position which is being retained. A teacher with standard certification for the retained position would be retained over a teacher with provisional certification, and a teacher with provisional certification will be retained over a teacher with temporary certification.
  - Seniority is defined as: Length of continuous, full-time, contracted employment as a teacher in the district, beginning on the date the teacher first reported to work.
  - If seniority is the same, the date the Board approved the employment of the teacher will be the deciding factor.
2. If certification and seniority are the same according to the above criteria, the determining factors, ranked in order of importance, are:
  - Total years of teacher experience.
  - Academic degree status.
  - Years of teaching experience in the retained position.
  - Competency rating on formal evaluations.
3. If all of the above criteria are equal, selection of teachers to be released will be determined by lot, in the presence of the affected teachers.

It is the responsibility of teachers identified for release to initiate requests for consideration of reassignment to retained positions.

Teachers released through staff reductions will be offered re-employment for a period of two (2) years, if certified and highly qualified in the area of need, in reverse order of release. Released career teachers who meet the above requirements will be recalled before released probationary teachers in the same teaching area, and released probationary teachers who meet the requirements for recall shall be recalled before licensed teachers in the same teaching area.

The Human Resources office will maintain records of those teachers released through reduction in force for recall purposes for a period of two (2) years after the date of release. It shall be the responsibility of the released teacher to keep the Human Resources office informed of any changes in personal or professional information.

All seniority and benefits to which a certified employee was entitled at the time of his/her release, including accumulated leave, will be restored to the employee upon his/her recall to active employment.



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When a reduction in force has been authorized by the Board, a seniority list will be supplied to the Association. This list shall include each teacher's name, building site assignment, subject area assignment, areas of certification and seniority. The Board shall reserve the right to retain ten percent (10%) of teachers holding extra duty assignments when it is determined that release of those teachers would severely limit or eliminate those programs to which the teachers are assigned. Teachers identified for release in accordance with the provisions of this document that are certified and highly qualified and qualified to perform the extra duty assignment of another teacher may displace that teacher.

Source:        *Broken Arrow Board of Education policy adoption, July 2, 1984.*  
                  *Broken Arrow Board of Education policy revised, September 7, 1989.*  
                  *Broken Arrow Board of Education policy revised, December 16, 1991.*  
                  *Broken Arrow Board of Education policy revised, July 13, 2009.*  
                  *Broken Arrow Board of Education policy revised, July 10, 2017.*