TEACHER LAYOFF AND RECALL

The Board of Education believes it must provide the highest skilled teachers to help students succeed. Teacher layoff and recall decisions shall be made based on the goal of retaining effective teachers within the Intermediate School District. Therefore, when conducting a staffing or program reduction, recalling from a staffing or program reduction, making any other personnel decision resulting in the elimination of a position, hiring after a staffing or program reduction, or making any other personnel determination related to such decisions, the Board of Education of the Ingham Intermediate School District, directs the superintendent and administrative staff to ensure that all such decisions are based on the retention of effective teachers.

Teacher effectiveness shall be measured by:

1. The teacher’s individual performance, which shall be the majority factor used in making such decisions. Individual performance shall be measured by the overall performance rating of the teacher on the annual year end appraisal; evidence of student growth, which shall be the predominant factor; the teacher’s pedagogical skills; the teacher’s management of the classroom; and the teacher’s attendance and disciplinary record, if any. Additional measures of individual performance may be identified by the superintendent or designee, and published in advance of their application to all potentially affected teachers. The superintendent or designee may consult with teachers and administrators before identifying such additional factors;

2. Significant, relevant accomplishments and contributions above normal expectations of the teacher’s peer group and a demonstrated record of exceptional performance; and

3. Relevant special training (beyond Ingham ISD and MDE requirements) and the demonstrated integration of that training into instruction in a meaningful way.

4. Such other factors as may be identified by the superintendent or designee provided such factors are consistent with the above factors.

All factors shall be construed and applied in a manner consistent with Section 1248 of the Michigan Revised School Code, as it may be amended from time to time.
Teachers with an overall performance rating of Ineffective under the ISD’s teacher appraisal system shall not be given preference over a teacher who is rated as Minimally Effective, Effective, or Highly Effective. In rare cases, with the written approval and rationale of the superintendent, a teacher who has been rated ineffective for fewer than three years may be retained due to unique certification and/or highly qualified status, but not in preference to a teacher with a higher effectiveness rating.

Teachers with an overall performance rating of Minimally Effective shall not be given preference over a teacher who is rated as Effective or Highly Effective, provided that there are teachers certified and highly qualified to perform the remaining work, without creating an undue disruption to other teaching assignments or educational continuity, in the opinion of the superintendent or designee.

Probationary teachers with an overall performance rating of Effective or Highly Effective shall not be displaced by a teacher on continuing tenure solely because the other teacher has continuing tenure.

The superintendent or designee may also identify other job related tiebreakers to be utilized in lieu of length of service or tenure status, provided such tiebreakers are published in advance of their application to potentially affected teachers. The superintendent or designee may consult with teachers and administrators in advance of identifying other job related tiebreakers.

In the event that a personnel decision within the scope of this policy involves two or more teachers, and all of the above factors, as well as any other job related factors identified by the superintendent or designee are equal, then length of service or tenure status may be considered as the final tiebreaker.

The Board, the ISD, the superintendent, and each member of the administrative staff shall not make personnel decisions involving teachers within the scope of this policy, using length of service or tenure status as the primary or determining factors, except only in the limited circumstances stated within this policy and its implementing regulations.

The development and content of policies and procedures relating to decisions concerning the layoff and recall of teachers (as defined within MCL 423.215(3)(k)) shall not be the subject of any terms and conditions within a collective bargaining agreement between the ISD and a collective bargaining agreement of the teachers who are covered by this policy.

For purposes of this policy, “teachers” include individuals whose employment is regulated by the Tenure Act, such as but not limited to, individuals with teaching certificates (as defined by the Teacher Certification Code) who are assigned to positions within the ISD for which the Michigan Department of Education (MDE) requires a teaching certificate. Individuals who acquire probationary service credit or classroom teacher tenure within the district are also
considered to be “teachers” for purposes of this policy. Individuals who may possess a teaching certificate, but are assigned to a position for which such a certificate is not required, are not subject to this policy or its implementing regulations (e.g., school social workers, school psychologists, school nurses, occupational therapists, etc.).

The superintendent or designee shall develop administrative regulations to support this policy.

LEGAL CITATION: Public Act 102 of 2011 – Section 380.1248 of the Revised School Code

POLICY

adopted: August 21, 2012