



Reduction of Teaching Staff: Placement on Unrequested Leave of Absence and Nonrenewal of Probationary, Tier 1, and Tier 2 Teachers

Document Modifications

School districts should fill indicated blanks as they use the model forms. School districts should consult with their legal counsel before making substantive changes to a model form.

Legal Notice

These materials are for informational use only and are not to be construed as legal advice. If legal advice is needed, the school district's legal counsel should be contacted. While current at the time it was created, this document may be later superseded by legislative or other action.



Suggested Timeline and Checklist for Nonrenewal and Unrequested Leave of Absence (ULA)

		Prepared By	Date
October – January	<p>1. The Administration forms a tentative seniority list per language in the District master agreement. The Administration then distributes the tentative seniority list and notice regarding seniority and licensure per language in the District master agreement.</p> <p>Accompanying Forms:</p> <ul style="list-style-type: none"> • Formation of Tier 3 and Tier 4 Teacher Seniority List and Tier 1 and Tier 2 Rosters • Form No. 1 (Tier 3 and Tier 4 Teacher Seniority List) • Form No. 2 (Tier 1 and Tier 2 Teacher Rosters) • Form No. 3 (Notice Regarding Seniority and Licensure) • Form No. 4 (Notice of Pending Licensure) <p>Note: Refer to the District master agreement to see if a timeline and procedure have been negotiated relative to individual teachers contesting the information about themselves on the tentative seniority list. Absent a negotiated timeline and procedure, MSBA recommends teachers, who disagree with their placement on the seniority list, have 10 days from the date of posting to supply written documentation, proof, and request for a change in seniority to the Superintendent.</p>		
	<p>2. The Administration addresses challenges to the tentative seniority list per language in the District master agreement.</p>		
	<p>3. The Board approves the final seniority list, and the Administration distributes the final seniority list per the language in the District master agreement.</p> <p>Accompanying Forms:</p> <ul style="list-style-type: none"> • Formation of Tier 3 and Tier 4 Teacher Seniority List and Tier 1 and Tier 2 Rosters • Form No. 1 (Tier 3 and Tier 4 Teacher Seniority List) • Form No. 2 (Tier 1 and Tier 2 Teacher Rosters) <p>Note: Once approved, the seniority list should not be modified except for additions, deletions, and changes required by law. Before modifying the adopted seniority list, the District should contact MSBA or its legal counsel. The District has the responsibility to ensure the seniority list is accurate.</p>		
	<p>4. The Administration develops a report on the general need for staff reductions.</p> <p>Note: The report should provide documentation on any sources within or outside the District used to develop the report, the date of the documentation, and the person(s) responsible for preparing (or supervising the preparation of) the report. The Administration should keep the Board informed of the District's financial status throughout the process.</p>		



		Prepared By	Date
	<p>5. The Board adopts a resolution directing the Administration to make recommendations regarding the reduction of programs and discontinuance of positions and the reasons therefor.</p> <p>Accompanying Form:</p> <ul style="list-style-type: none"> • Form No. 5 (Resolution Directing the Administration to Make Recommendations Regarding the Reduction and/or Discontinuance of Programs and Positions and Reasons Therefor) 		
January - March	<p>6. The Administration makes recommendations regarding the reduction of programs and discontinuance of positions without reference to specific teachers.</p> <p>Note: Refer to the District master agreement to see if any language has been negotiated that may impact recommendations being considered. Each suggestion should be supported by a chain of reasoning that links the reduction of program and/or position discontinuance to the general reasoning contained in the Board's initial resolution. If any information has become available since the Administration's initial report to the Board that might change the need for reductions or discontinuance of positions, this should be brought to the attention of the Board and documented.</p>		
	<p>7. The Board adopts a resolution reducing specific programs and discontinuing positions without reference to named teachers.</p> <p>Accompanying Form:</p> <ul style="list-style-type: none"> • Form No. 6 (Resolution Reducing and Discontinuing Educational Programs and Positions) <p>Note: As a best practice, both the Administration's report and the Board's resolution should indicate priorities in reductions and discontinuances, in the event circumstances change, before individual nonrenewals and leave placements are proposed.</p>		
March - April	<p>8. The Administration makes recommendations to nonrenew teachers whose contracts terminate and/or licenses expire at the end of the school year (i.e., Tier 1 teachers, Tier 2 teachers, etc.). Also, at this time, the Administration makes recommendations for probationary teachers to be nonrenewed and/or continuing contract/tenured teachers to be placed on unrequested leave of absence.</p> <p>Accompanying Form:</p> <ul style="list-style-type: none"> • Form No. 7 (Documentation Sheet for Placing a Continuing Contract/Tenured Contract Teacher on Unrequested Leave of Absence). <p>Note: Each recommendation should be supported by a chain of reasoning which links the position discontinuance to the general reasoning contained in the Board's initial resolution; Form No. 7 can be used for this purpose.</p>		



		Prepared By	Date
	<p>9. The Board adopts individual resolutions of nonrenewal of Tier 1, Tier 2, or probationary teachers or proposed placement of continuing contract/tenured teachers on unrequested leave of absence.</p> <p>Accompanying Forms:</p> <ul style="list-style-type: none"> • Form No. 8 (Resolution Nonrenewing a Tier 1 or Tier 2 Teacher) • Form No. 10 (Resolution Nonrenewing a Probationary Teacher) • Form No. 12 (Resolution Proposing Placement of a Continuing Contract/Tenured Teacher on Unrequested Leave of Absence) 		
March - April	<p>10. The Administration provides notice of nonrenewal or proposed placement on unrequested leave of absence to the corresponding teacher(s).</p> <p>Accompanying Forms:</p> <ul style="list-style-type: none"> • Form No. 9 (Notice of Nonrenewal for a Tier 1 or Tier 2 Teacher) • Form No. 11 (Notice of Nonrenewal for a Probationary Teacher) • Form No. 13 (Notice of Proposed Placement on Unrequested Leave of Absence for a Continuing Contract/Tenured Teacher and Notice of Hearing Date, If Requested) <p>Note: The notice of proposed placement on unrequested leave of absence for continuing contract/tenured teachers must include hearing rights. Refer to the District master agreement to see if relevant language was negotiated. Absent such negotiated language, MSBA recommends notices be mailed by certified mail or served personally upon such teacher, and per Minn. Stat. 122A.40*, subd. 7., teachers have 14 days after receipt of the notice of proposed placement on unrequested leave to request a hearing. If a request is not received within the 14-day period, it constitutes the teacher's acquiescence to the proposed placement on unrequested leave of absence.</p> <p>*In computing the 14-day period, the day of receipt of the notice by the teacher may not be counted. Districts in "Cities of the First Class" should refer to Minn. Stat. 122A.41 for hearing requirements as Minn. Stat. 122A.40 does not apply.</p>		
April - June	<p>11. If necessary, individual hearings for teachers are conducted concerning proposed placement on unrequested leave of absence.</p> <p>Accompanying Form:</p> <ul style="list-style-type: none"> • Form No. 7 (Documentation Sheet for Placing a Continuing Contract/Tenured Teacher on Unrequested Leave of Absence). <p>Note: Refer to the District master agreement to see if procedures were negotiated concerning hearings for proposed placement on unrequested leave of absence. Absent such language, MSBA recommends any teacher who wishes to challenge a proposed placement on unrequested leave of absence utilize the hearing and review procedures provided in Minn. Stat. 122A.40*, subd. 14. rather than a grievance procedure.</p> <p>* Districts in "Cities of the First Class" should refer to Minn. Stat. 122A.41 for hearing requirements as Minn. Stat. 122A.40 does not apply.</p>		



		Prepared By	Date
May - June	<p>12. The Board adopts individual resolutions placing continuing contract/tenured teachers on unrequested leave of absence.</p> <p>Accompanying Forms:</p> <ul style="list-style-type: none"> • Form No. 14 (Resolution Placing A Continuing Contract/Tenured Teacher on Unrequested Leave of Absence Upon Acquiescence of Such Placement) • Form No. 16 (Resolution Placing A Continuing Contract/Tenured Teacher on Unrequested Leave of Absence After a Hearing was Held) <p>13. The Administration provides notice to individual teachers placed on unrequested leave of absence.</p> <p>Accompanying Forms:</p> <ul style="list-style-type: none"> • Form No. 15 (Notice of Placement on Unrequested Leave of Absence Upon Acquiescence of Such Placement) • Form No. 17 (Notice of Placement on Unrequested Leave of Absence After a Hearing was Held) <p>Note: Refer to the District master agreement to see if language was negotiated relative to how and when the final notices are to be delivered. Absent such language, MSBA recommends notices be delivered by certified mail or served personally upon such teacher, and per Minn. Stat. 122A.40*, subd. 7., the teacher must receive the final notice prior to July 1.</p> <p>*Districts in "Cities of the First Class" should refer to Minn. Stat. 122A.41 for hearing requirements as Minn. Stat. 122A.40 does not apply.</p>		



Formation of Tier 3 and Tier 4 Teacher Seniority List and Tier 1 and Tier 2 Teacher Rosters

Absent contradictory language in the District master agreement, "seniority" applies only to Tier 3 and Tier 4 teachers and thus, only these teachers should be included on the seniority list. (See Form No. 1). Seniority commences with the first day of continuous teaching service in the District. District coordinators and consultants are considered as part of the subject matter area most closely related to the teacher's current assignment as determined by the District.

Refer to the District master agreement to see if language has been negotiated requiring the nonrenewal of probationary teachers prior to the placement of continuing contract/tenured teachers on unrequested leave of absence. If such language exists, probationary Tier 3 and Tier 4 teachers should be placed on a separate seniority list. Absent such language, MSBA recommends placing all Tier 3 and Tier 4 teachers (probationary and continuing contract/tenured) on the same seniority list, because – based on the MSBA model teachers' master agreement – certain circumstances would justify placing a continuing contract/tenured teacher on unrequested leave of absence before nonrenewing a probationary teacher.

Continuing contract status applies when the state requires a teacher to hold a license. If a District opts to require a license, continuing contract status is not statutorily required. Effective for the 2023-2024 school year and later – Adult Basic Education (ABE) and Early Childhood Family Education (ECFE) community education teachers (Minn. Stat. 122A.26) are considered teachers for purposes of Minn. Stat. 122A.40 and Minn. Stat. 122A.41 and may be eligible for continuing contract/tenure status. The parties may negotiate separate seniority lists for ABE and ECFE teachers. In addition to ABE and ECFE teachers, beginning in 2028, Minn. Stat. 122A.261 will require teachers in several other [early learning programs \(i.e., school readiness, school readiness plus, etc.\)](#) to be licensed; those teachers will become eligible for continuing contract status.

Tier 2 teachers should be placed on a separate roster (See Form No. 2) until they have met the requirements to become a Tier 3 teacher. When a teacher is moved from the Tier 2 Roster to the Tier 3 and Tier 4 Teacher Seniority List, up to two years of continuous teaching service as a Tier 2 teacher in the District may be applied when calculating placement on the seniority list.

Tier 1 teachers should be placed on a separate roster (See Form No. 2).

The columns shown on both Form No. 1 and Form No. 2 are suggested based on the MSBA model teachers' master agreement. The columns on the forms should be reflective of the language in the District master agreement. As a reminder, do not include private data such as placement on a Teacher Improvement Plan (TIP), birth dates, etc. on the lists.

The following columns are included on Form No. 1 and Form No. 2:

- **Name:** The first and last name of the teacher.
- **First Day:** The first day of most recent continuous teaching service in the District. Time off for leave authorized by the District shall not be deemed to be a break in continuous service, unless otherwise indicated in the District master agreement.
- **Contract Status:** Contract status indicates whether the teacher is probationary or has completed the probationary period and now has continuing contract/tenure rights.
- **FTE:** FTE is the number of full-time equivalent units the teacher has been assigned.
- **Licensure Area(s):** The licensure area(s) currently filed with the District as of the agreed upon date in the District master agreement.
- **Expiration:** Expiration refers to the license(s) expiration date(s). A license expires June 30 of the year shown, unless otherwise indicated.



- **Qualified:** Qualified indicates whether the teacher is qualified, as defined by the District master agreement, to teach under each area of licensure. If the District master agreement lacks qualified language, remove this column from the seniority list and rosters.
- **Current Assignment:** **Current assignment** refers to the teacher's present assignment in the District. Current assignments are subject to change at the discretion of the District and within the bounds of the District master agreement.



Form No. 1
(Tentative / Final) Tier 3 and Tier 4 Teacher Seniority List

Date: _____

Name*	First Day	Contract Status	FTE	Licensure Area(s)	Expiration	Qualified	Current Assignment
Elementary Education Grades 1 – 5							
(Last, First)	08/21/2006	Continuing Contract/Tenured	1.0	· Elementary (1-6)	· 2022	· Yes	5 th Grade
(Last, First)	08/20/2012 Leave From 01/15/2016 to 08/01/2017	Continuing Contract/Tenured	1.0	· Elementary (K-6) · Pre-primary (Age 3-PreK)	· 2025 · 2025	· Yes · No	1 st Grade
(Last, First)	08/21/2020	Probationary	1.0	· Elementary (K-6) · Pre-Kindergarten	· 2024 · 2024	· Yes · Yes	2 nd Grade
Etc.				·	·	·	
English Grades 5-12							
(Last, First)	08/23/1993	Continuing Contract/Tenured	.5	· Speech (7-12)	· 2021	· Yes	3 Sections - Speech
(Last, First)	08/23/1993	Continuing Contract/Tenured	1.0	· English/Language Arts (7-12)	· 2024	· Yes	3 Sections - 7 th Grade English 3 Sections 8 th Grade English
(Last, First)	8/23/2004	Continuing Contract/Tenured	1.0	· Communication Arts (5-8) · Elementary (K-6)	· 2024 · 2024	· Yes · No	3 Sections - 5 th Grade English 3 Sections 6 th Grade English
(Last, First)	8/23/2010	Continuing Contract/Tenured	1.0	· Communication Arts (5-8) · Reading (K-12)	· 2025 · 2025	· Yes · Yes	3 Sections - 7 th Grade English
(Last, First)	08/19/2019	Probationary	.5	· Communication Arts (5-12)	· 2023	· Yes	3 Sections - English - College in the School
Etc.				·	·	·	

*Most senior teacher is listed first in each category.



Form No. 2
Tier 1 and Tier 2 Teacher Rosters

Neither a Tier 1 nor a Tier 2 license brings an individual within the definition of a teacher for the purpose of Minn. Stat. 122A.40, subd. 1 or Minn. Stat. 122A41, subd. 1(a). Thus, Tier 1 and Tier 2 teachers are not eligible for continuing contract/tenure rights.

Tier 2 Teacher Roster

Name	First Day	FTE	Licensure Area(s)	Expiration	Current Assignment
(Last, First)	08/19/2019	1.0	· Learning Disabilities (K-12) · Developmental Disabilities (K-12)	· 2025	Elementary Special Education
(Last, First)	08/17/2020	1.0	· Learning Disabilities (K-12) · Developmental Disabilities (K-12)	· 2024	High School Special Education
Etc.					

Tier 1 Teacher Roster

Name	First Day	FTE	Licensure Area(s)	Expiration	Current Assignment
(Last, First)	08/17/2020	1.0	· Spanish (K-12)	· 2023	2 Sections - Middles School Spanish 4 Sections - High School Spanish
Etc.					



Form No. 3
Notice Regarding Seniority and Licensure

Note: Review the District master agreement for specific dates, timelines, locations, or processes that have been negotiated and adjust the form, as necessary.

NOTICE is hereby given to all professional employees of Independent School District No. __ required to be licensed as follows:

1. On (DATE) the District promulgated a tentative seniority and licensure list for teachers in the District.
2. A copy of the tentative list is posted at (LOCATIONS) and has been given to the teachers' exclusive representative.
3. If after reviewing the tentative seniority list, a teacher believes any of their information on the tentative seniority list is in error, the teacher shall submit detailed objections in writing to the (OFFICE NAME) no later than (DATE) at (TIME).
4. Failure by any teacher to object within said time period, shall be deemed a waiver of any objection. The final seniority list will be a factor in any staff reductions that may be necessary and shall continue in effect until modified in subsequent school years.
5. Any teacher who, with knowledge of the true facts, fails to call to the attention of the Administration to correct any mistakes in the seniority list which would affect such teacher's placement on the list as it applies to the teacher, may be subject to appropriate discipline which may include discharge.
6. On (DATE) or as soon thereafter as possible, a final seniority list incorporating any change in the original list resulting from errors or additional information shall be posted and distributed as provided in No. 2 above. The School Board reserves the right at any time, to add to or delete from the list of licenses of any teacher, a licensure listing which is made effective, or ineffective, respectively, after the promulgation of the final seniority list.
7. Any teacher having a new licensure pending by (DATE) of any year shall notify the Administration in writing no later than (DATE) (*same date as No. 3 above*) at (TIME) on a form available for the purpose. Failure to notify the (OFFICE NAME) of pending new licensure by (DATE) (*same date in No. 3 above*) shall be deemed a waiver of any objection involving the new licensure should such teacher's seniority and licensure be a factor in any staff reduction that may be necessary. Such notice is intended to assist the District in staff planning. It is not a substitute for a copy of the actual license itself. Each individual teacher has the obligation to file for record the teacher's most current teaching license. The District is not obligated to recognize a teacher's licensure classification unless it is included on the teacher's most recent license filed for record with the (OFFICE NAME).
8. Even when a notice of pending licensure has been received, additional licensures filed on or after (DATE) of any year shall not be considered in making staff reductions in that year.

Dated this (DAY) day of (MONTH), (YEAR).

By order of the School Board:

By: _____

Title: _____



Form No. 4
Notice of Pending Licensure

TO (OFFICE NAME):

This is to notify the District that I have pending an application for licensure in the following area(s), for which I am not now licensed:

PENDING LICENSE AREA(S):

My best estimate of the date this license(s) will be issued is:

Date

Teacher's Signature

This form must be filled out and returned to the (OFFICE NAME) no later than (DATE) (*same date in No. 3 of Form No. 3*) for all current applications for new licenses which are pending.

Failure to notify the (OFFICE NAME) of pending applications for new licenses by (DATE) (*same date as in previous paragraph*) shall be deemed a waiver of any objection involving the new licensure should your seniority and licensure be a factor in any staff reduction that may be necessary.

This notice is intended to assist the District in staff planning. It is not a substitute for the copy of the license itself. Each individual teacher has the obligation to file for record the teacher's most current teaching license. The Board will not recognize a teacher's licensure classification unless it is included on the teacher's most recent license filed for record with the District.



Form No. 5
Resolution Directing the Administration to Make Recommendations
Regarding the Reduction and/or Discontinuance of Programs and Positions
and Reasons Therefor

(BOARD MEMBER NAME) introduced the following resolution and moved its adoption:

WHEREAS, (INSERT A and/or B), and

- A. the financial limitations of the District dictate that the School Board must reduce expenditures
- B. there has been a reduction in overall student enrollment

WHEREAS, (INSERT A and/or B) may necessitate the discontinuance or reduction of programs and/or the discontinuance or reduction of positions, and

- A. this reduction in expenditure
- B. this decrease in student enrollment

WHEREAS, a determination must be made as to whether programs or positions must be reduced and/or discontinued,

BE IT RESOLVED, by the School Board of Independent District No. , as follows:

That the School Board hereby directs the Superintendent and Administration to consider the discontinuance and/or reduction of programs or positions (INSERT A and/or B) and make recommendations to the School Board for the discontinuance of programs, reduction of programs, discontinuance of positions, or the reduction of positions.

- A. to effectuate economies in the District and reduce expenditures
- B. as a result of a reduction in enrollment

VOTING RECORD

The motion for the adoption of the preceding resolution was duly seconded by (BOARD MEMBER NAME) and upon vote being taken thereon,

the following voted in favor thereof,

the following voted against the same:

whereupon said resolution was declared duly passed and adopted on (DATE).



Form No. 6
Resolution Reducing and Discontinuing Educational Programs and Positions

(BOARD MEMBER NAME) introduced the following resolution and moved its adoption:

WHEREAS the School Board of Independent District No. __ adopted a resolution on (DATE) (*the date Form No. 5 was passed*) directing the Administration to make recommendations regarding the reduction and/or discontinuance of programs and positions, and

WHEREAS, said recommendations have been received and considered by the School Board,

BE IT RESOLVED, by the School Board of Independent District No. __, as follows:

That the following programs and positions¹, or portions thereof, be discontinued:

1. _____
2. _____
3. _____
4. _____
5. _____

VOTING RECORD

The motion for the adoption of the preceding resolution was duly seconded by (BOARD MEMBER NAME) and upon vote being taken thereon,

the following voted in favor thereof,

the following voted against the same:

whereupon said resolution was declared duly passed and adopted on (DATE).

¹ Do not list specific individual names, only position titles.



Form No. 7
Documentation Sheet for Placing a Continuing Contract/Tenured Teacher on
Unrequested Leave of Absence

(Teacher Name: First, Last)

Section 1. Unrequested Leave of Absence Steps	Date
1. The Administration forms the tentative seniority list per language in the District master agreement. The Administration then distributes the tentative seniority list and notice regarding seniority and licensure per language in the District master agreement.	
2. The Administration addresses any challenges to the tentative seniority list per language in the District master agreement.	
What objections, if any, were made by the named teacher regarding their placement on the seniority list? How were the objections resolved?	
3. The Board adopts a final seniority list.	
4. The Administration distributes the final seniority list per language in the District master agreement.	
5. The Administration develops a report on the general need for staff reductions.	
6. The Board adopts a resolution directing the Administration to make recommendations regarding the reduction of programs and positions and the reasons therefor.	
7. The Administration makes recommendations regarding the reduction and discontinuance of programs and positions without reference to specific teachers.	
8. The Board adopts a resolution reducing or discontinuing programs and positions without reference to specific teachers.	
9. The Administration makes recommendations for Tier 1, Tier 2, or probationary teachers to be nonrenewed or continuing contract/tenured teachers to be placed on unrequested leave of absence.	
10. The Board adopts individual resolutions of nonrenewal of Tier 1, Tier 2, and/or probationary teachers or proposed placement of continuing contract/tenured teachers on unrequested leave of absence.	
11. The Administration provides notice of proposed placement on unrequested leave of absence to the named teacher.	
Notice delivered: <input type="checkbox"/> personally <input type="checkbox"/> by certified mail <input type="checkbox"/> by affidavit of service	
Next Steps:	
(a) <i>If named teacher makes a written request for a hearing, complete Section 4 of this document.</i>	
(b) <i>If named teacher acquiesces to placement on unrequested leave of absence by failing to request a hearing by given date, continue to No. 12 below.</i>	
12. The Board adopts a resolution to place the named teacher on unrequested leave of absence.	
13. The Administration provides notice of placement on unrequested leave of absence to the named teacher.	
Notice delivered: <input type="checkbox"/> personally <input type="checkbox"/> by certified mail <input type="checkbox"/> by affidavit of service	



Section 2. Teacher's Personnel-Related Information

First Day of Most Recent Continuous Teaching Service		Date of TIP, if any	
FTE		Advanced degrees, if any	
Current Assignment		Additional Assignments	
License Area(s) (expiration, qualified)			

Section 3. Justification for Placement on Unrequested Leave of Absence

Grounds for placement on unrequested leave of absence of named teacher - check all that apply.¹

- (a) discontinuance of position
- (b) lack of pupils
- (c) financial limitations
- (d) merger of classes caused by consolidation of Districts

Correlation between named teacher's placement on unrequested leave of absence and the Board's resolution to reduce staff. (ex - The Board's resolution called for the reduction of 3 elementary teachers and named teacher is the least senior of the elementary teachers and no other factors exist that would justify the displacement of a more senior teacher.)

If named teacher is being placed on unrequested leave of absence before a probationary teacher, cite justification.

If named teacher is being placed on unrequested leave of absence before a continuing contract/tenured teacher with less seniority, cite justification.

List any teachers who have equal seniority to the named teacher. How was the seniority tie resolved?

¹ Grounds must match the reasoning indicated on Form No. 5



Section 4. Hearing			Date
Named teacher requested a hearing.			
The Board sets time and place of hearing.			
Date of hearing: _____ Location: _____			
Named teacher is served notice of time and place of hearing.			
Notice delivered: _____ personally _____ by certified mail _____ by affidavit of service			
Hearing Details			
Hearing officer ¹			
Court Reporter			
Board Witness(es), if applicable			
	Name	Position	Subpoenaed
1.			
2.			
Teacher Witness(es), if applicable			
	Name	Position	Subpoenaed
1.			
2.			
Preparation for Hearing			Date
Named teacher's seniority placement and licensure information is confirmed.			
Testimony of witnesses is prepared.			
Exhibits and documents are assembled and numbered.			
Day of Hearing			
Testimony is received.			
Hearing officer submits findings and conclusions.			
The Board considers the hearing officer's report.			
Board resolution containing findings of fact and decision is prepared.			
A majority roll call vote of the entire membership of the Board is taken.			
Board Members			In Favor of Leave Placement
1.			
2.			
3.			
4.			
5.			
6.			
7.			
After Hearing			Date
Named teacher is served notice of official placement on unrequested leave of absence and corresponding resolution.			
Notice delivered: _____ personally _____ by certified mail _____ by affidavit of service			
If teacher is not placed on unrequested leave of absence an appropriate decision is entered in the Board minutes.			

¹ The Board shall hire an independent hearing officer to preside at the hearing (i.e., retired judges, state hearing examiners, or arbitrators).



Form No. 8
Resolution Nonrenewing a Tier 1 or Tier 2 Teacher

(BOARD MEMBER NAME) introduced the following resolution and moved its adoption:

WHEREAS, (TEACHER NAME) is a (TIER 1 / TIER 2) teacher in Independent District No. ____.

BE IT RESOLVED, by the School Board of Independent District No. ___, that the teaching contract of (TEACHER NAME), a (TIER 1 / TIER 2) teacher in Independent School District No. ___, shall be nonrenewed at the end of the 20__ - __ school year, effective (DATE); and

BE IT FURTHER RESOLVED, that written notice be sent to said teacher regarding the nonrenewal of the teacher's teaching contract.

VOTING RECORD

The motion for the adoption of the preceding resolution was duly seconded by (BOARD MEMBER NAME) and upon vote being taken thereon,

the following voted in favor thereof,

the following voted against the same:

whereupon said resolution was declared duly passed and adopted on (DATE).



Form No. 9
Notice of Nonrenewal for a Tier 1 or Tier 2 Teacher¹

Date

Dear (TEACHER NAME):

You are hereby notified that at the meeting of the School Board of Independent District No. held on (DATE), a resolution was adopted by a majority roll call vote to not renew your teaching contract for the 20 - school year. Your employment will terminate at the end of the 20 - school year effective (DATE).

Sincerely,

SCHOOL BOARD OF INDEPENDENT DISTRICT NO.

Clerk of the School Board

¹ A copy of this notice should be placed in the teacher's personnel file.



Form No. 10
Resolution Nonrenewing a Probationary Teacher

(BOARD MEMBER NAME) introduced the following resolution and moved its adoption:

WHEREAS, (TEACHER NAME) is a probationary teacher in Independent District No. ____.

BE IT RESOLVED, by the School Board of Independent District No. ___, that pursuant to Minn. Stat. 122A.40, subd. 5¹ and the District master agreement, the teaching contract of (TEACHER NAME), a probationary teacher in Independent District No. ___, shall be nonrenewed at the end of the 20__ - __ school year effective (DATE).

BE IT FURTHER RESOLVED, that written notice be sent to said teacher regarding the nonrenewal of the teacher's teaching contract.

VOTING RECORD

The motion for the adoption of the preceding resolution was duly seconded by (BOARD MEMBER NAME) and upon vote being taken thereon,

the following voted in favor thereof,

the following voted against the same:

whereupon said resolution was declared duly passed and adopted on (DATE).

¹ Districts in "Cities of the First Class" should refer to Minn. Stat. 122A.41 as Minn. Stat. 122A.40 does not apply.



Form No. 11
Notice of Nonrenewal for a Probationary Teacher¹

Date

Dear (TEACHER NAME):

You are hereby notified that at the meeting of the School Board of Independent District No. _____ held on (DATE), a resolution was adopted by a majority roll call vote to not renew your teaching contract for the 20____ - ____ school year. Your employment will terminate at the end of the 20____ - ____ school year effective (DATE). Said action of the School Board is taken pursuant to Minn. Stat. 122A.40, subd. 5.² and the District master agreement.

You may officially request the School Board give its reasons for the nonrenewal of your teaching contract. For your information, however, this action is being taken because of (*insert A., B., C., D., and/or E.*).

- A. lack of pupils
- B. financial limitations
- C. merger of classes caused by consolidation
- D. discontinuance of position; namely, a (TEACHING AREA) teacher³
- E. other, explain

Sincerely,

SCHOOL BOARD OF INDEPENDENT DISTRICT NO. _____

Clerk of the School Board

¹ A copy of this notice should be placed in the teacher's personnel file.

² Districts in "Cities of the First Class" should refer to Minn. Stat. 122A.41 as Minn. Stat. 122A.40 does not apply.

³ "Discontinuance of your position" should only be selected if the discontinuance is for a reason other than reduction in expenditures, decrease in enrollment, or merger of classes. Examples may include, but are not limited to, poor enrollment in an academic program or a decrease of pupils in a particular grade level.



Form No. 12
Resolution Proposing Placement of a Continuing Contract/Tenured Teacher on Unrequested Leave of Absence

(BOARD MEMBER NAME) introduced the following resolution and moved its adoption:

BE IT RESOLVED by the School Board of Independent District No. __, as follows:

That it is proposed that (TEACHER NAME), a continuing contract/tenured teacher of said District, be placed on unrequested leave of absence without pay or fringe benefits, at the end of the 20__ - school year effective (DATE). Said action is taken in accordance with the District master agreement and pursuant to Minn. Stat. 122A.40, subd. 10.¹ upon the grounds described in said statute and which are specifically as follows: (insert A., B., C., and/or D.).²

- A. lack of pupils
- B. financial limitations
- C. merger of classes caused by consolidation
- D. discontinuance of position; namely, a (TEACHING AREA) teacher ³

BE IT FURTHER RESOLVED, that a notice of proposed placement on unrequested leave, together with a copy of this resolution be forwarded to said teacher and that an affidavit of the same be placed in the teacher's personnel file with a copy of the notice and resolution.

VOTING RECORD

The motion for the adoption of the preceding resolution was duly seconded by (BOARD MEMBER NAME) and upon vote being taken thereon,

the following voted in favor thereof,

the following voted against the same:

whereupon said resolution was declared duly passed and adopted on (DATE).

¹ District in "Cities of the First Class" should refer to Minn. Stat. 122A.41 as Minn. Stat. 122A.40 does not apply.

² If the District has entered into an education district agreement pursuant to Minn. Stat. § 123A.15, et seq., the following statement must be included in the notice: "Your proposed placement on unrequested leave of absence (is)/(is not) the result of the implementation of an education district agreement."

³ "Discontinuance of your position" should only be selected if the discontinuance is for a reason other than reduction in expenditures, decrease in enrollment, or merger of classes. Examples may include, but are not limited to, poor enrollment in an academic program or a decrease of pupils in a particular grade level.



Form No. 13

**Notice of Proposed Placement on Unrequested Leave of Absence
for a Continuing Contract/Tenured Teacher and
Notice of Hearing Date, If Requested¹**

Date

Dear (TEACHER NAME),

You are hereby notified that at the meeting of the School Board of Independent District No. __ held on (DATE), a resolution was adopted by a majority vote of the School Board, proposing your placement on unrequested leave of absence, without pay or fringe benefits, as a teacher of Independent District No. __ at the end of the 20____ - ____ school year effective (DATE). Said action of the School Board is taken pursuant to the District master agreement and Minn. Stat. 122A.40, subd. 10.² upon the grounds described in said statute and which are specifically as follows: (insert A, B, C, and/or D).³

- A. lack of pupils
- B. financial limitations
- C. merger of classes caused by consolidation
- D. discontinuance of position; namely, a (TEACHING AREA) teacher⁴

Under the provisions of the law, you are entitled to a hearing before the School Board provided that you make a request in writing within fourteen days after receipt of this notice.⁵ If no hearing is requested within such period, it shall be deemed acquiescence by you to the School Board's proposed action.

Note: If time is of the essence, the following paragraph may be inserted in said notice:

If you desire a hearing, it will be held in the School Board room on (DATE), at (TIME) o'clock (a.m.)/(p.m.) or as soon thereafter as you can be heard. Please advise if such hearing is requested.)

Sincerely,

SCHOOL BOARD OF INDEPENDENT DISTRICT NO. __

Clerk of the School Board

¹ A copy of this notice should be placed in the teacher's personnel file.

² Districts in "Cities of the First Class" should refer to Minn. Stat. 122A.41 as Minn. Stat. 122A.40 does not.

³ If the District has entered into an education district agreement pursuant to Minn. Stat. § 123A.15, *et seq.*, the following must be included in the notice: Your proposed placement on unrequested leave of absence (is)/(is not) the result of the implementation of an education district agreement.

⁴ "Discontinuance of your position" should only be selected if the discontinuance is for a reason other than reduction in expenditures, decrease in enrollment, or merger of classes. Examples may include, but are not limited to, poor enrollment in an academic program or a decrease of pupils in a particular grade level.

⁵ Check the District master agreement to see if an alternative hearing process/timeline was negotiated. If so, change this section as needed.



Form No. 14

Resolution Placing a Continuing Contract/Tenured Teacher on Unrequested Leave of Absence Upon Acquiescence of Such Placement¹

(BOARD MEMBER NAME) introduced the following resolution and moved its adoption:

WHEREAS, the School Board of Independent District No. __ adopted a resolution proposing placement of (TEACHER NAME) on unrequested leave of absence on (DATE), on the grounds of (*insert A, B, C, and/or D*); and

- A. lack of pupils
- B. financial limitations
- C. merger of classes caused by consolidation
- D. discontinuance of position; namely, a (TEACHING AREA) teacher ²

WHEREAS, said written notice of the proposed placement on unrequested leave of absence was received by (TEACHER NAME) by certified mail (or personal service) on (DATE); and

WHEREAS, said written notice of the proposed placement on unrequested leave of absence contained a statement setting forth the reasons for the proposed placement as well as a statement that (TEACHER NAME) was entitled to a hearing before the School Board provided they make a request in writing within fourteen days³, of receipt of said notice, and that if no hearing was requested within said fourteen day period it constituted acquiescence by (TEACHER NAME) to the School Board's proposed action, and

WHEREAS, no written request for a hearing was received by the School Board or Superintendent from (TEACHER NAME) as of (DATE); and

WHEREAS, said failure to make written request for a hearing within fourteen days after receipt of notice of proposed placement on unrequested leave of absence constitutes acquiescence by (TEACHER NAME) to said placement on unrequested leave of absence;

BE IT HEREBY RESOLVED, by the School Board of Independent District No. __ that (TEACHER NAME) be and hereby is placed on unrequested leave of absence as a teacher of Independent District No. __ on the grounds of (*insert grounds listed above*) at the end of the 20__ - __ school year effective (DATE), in accordance with the District master agreement and pursuant to Minn. Stat. 122A.40, subd. 10.⁴ without pay or fringe benefits.⁵

BE IT FURTHER RESOLVED, that a notice of placement on unrequested leave, together with a copy of this resolution be forwarded to said teacher personally and that an affidavit of same be placed in the teacher's personnel file, together with a copy of the notice and resolution.

¹ A copy of this resolution should be placed in the teacher's personnel file.

² "Discontinuance of your position" should only be selected if the discontinuance is for a reason other than reduction in expenditures, decrease in enrollment, or merger of classes. Examples may include, but are not limited to, poor enrollment in an academic program or a decrease of pupils in a particular grade level.

³ Check the District master agreement to see if an alternative timeline was negotiated. If so, change the timeline as needed.

⁴ Districts in "Cities of the First Class" should refer to Minn. Stat. 122A.41 as Minn. Stat. 122A.40 does not apply.

⁵ If the District has entered into an education district agreement pursuant to Minn. Stat. § 123A.15, *et seq.*, the following paragraph must be included: BE IT FURTHER RESOLVED that said placement on unrequested leave of absence (is) (is not) the result of the implementation of an education district agreement.



VOTING RECORD

The motion for the adoption of the preceding resolution was duly seconded by (BOARD MEMBER NAME) and upon vote being taken thereon,

the following voted in favor thereof,

the following voted against the same:

whereupon said resolution was declared duly passed and adopted on (DATE).



Form No. 15
Notice of Placement on Unrequested Leave of Absence Upon
Acquiescence of Placement¹

Date

Dear (TEACHER NAME):

You are hereby notified that at a meeting of the School Board of Independent District No. __, held on (DATE), a resolution was adopted by majority roll call vote of the full membership of the School Board, placing you on unrequested leave of absence as a teacher of Independent District No. __ at the end of the 20__ - __ school year effective (DATE), according to the District master agreement and pursuant to Minn. Stat. 122A.40, subd. 10.² without pay or fringe benefits.³

A copy of the resolution duly adopted by the School Board is attached hereto for your information.

(Insert reinstatement process outlined in the District master agreement. Below is sample language based on the MSBA model teachers' master agreement.)

If a position becomes available in a field in which you are licensed and qualified, at any time up to five (5) years after your leave is effective, you may have a right to reinstatement to that position if you have sufficient seniority in the District and if you filed a written request with the (TITLE OF POSITION) for reinstatement prior to April 1 of each year while you are on leave. If you do not file such a written request each year, your right to reinstatement will be automatically terminated.

Please keep the (OFFICE NAME) advised in writing of your address at all times until your reinstatement rights have expired, so that the District may notify you of any available positions for which you may qualify.

Sincerely,

SCHOOL BOARD OF INDEPENDENT DISTRICT NO. __

Clerk of the School Board

¹ A copy of this notice should be placed in the teacher's personnel file.

² Districts in "Cities of the First Class" should refer to Minn. Stat. 122A.41 as Minn. Stat. 122A.40 does not apply.

³ If the District has entered into an education district agreement pursuant to Minn. Stat. § 123A.15, *et seq.*, the following must be included in the notice: "Your proposed placement on unrequested leave of absence (is)/(is not) the result of the implementation of an education district agreement."



Form No. 16
Resolution Placing a Continuing Contract/Tenured Teacher on
Unrequested Leave of Absence After a Hearing was Held¹

(BOARD MEMBER NAME) introduced the following resolution and moved its adoption:

WHEREAS, the School Board of Independent District No. __ adopted a resolution proposing placement of (TEACHER NAME) on unrequested leave of absence on (DATE), on the grounds of (insert A, B, C, and/or D); and

- A. lack of pupils
- B. financial limitations
- C. merger of classes caused by consolidation
- D. discontinuance of position; namely, a (TEACHING AREA) teacher ²

WHEREAS, said written notice of the proposed placement on unrequested leave of absence was received by (TEACHER NAME) by certified mail (or personal service) on (DATE); and

WHEREAS, said written notice of the proposed placement on unrequested leave of absence contained a statement setting forth the reasons for the proposed placement as well as a statement that (TEACHER NAME) was entitled to a hearing before the School Board provided said teacher made a request in writing within fourteen days³, of receipt of said notice; and

WHEREAS, said teacher made a written request for a hearing on (DATE); and

WHEREAS, a hearing was held on (DATE) at (LOCATION) with (HEARING OFFICER NAME), an independent hearing officer, presiding; and

WHEREAS, following said hearing, (HEARING OFFICER NAME) found that (TEACHER NAME) should be placed on unrequested leave of absence as a teacher of Independent District No. __ on the grounds of (insert grounds listed above) at the end of the 20__-__ school year effective (DATE), pursuant to Minn. Stat. 122A.40, subd. 10.⁴ and the District master agreement without pay or fringe benefits;

BE IT HEREBY RESOLVED, pursuant to the determination and order of (HEARING OFFICER NAME), (TEACHER NAME) be and hereby is placed on unrequested leave of absence as a teacher of Independent District No. __ on the grounds of (insert grounds listed above) at the end of the 20__-__ school year effective (DATE), pursuant to Minn. Stat. 122A.40, subd. 10.⁴ and the District master agreement, without pay or fringe benefits.⁵

¹ A copy of this resolution should be placed in the teacher's personnel file.

² "Discontinuance of your position" should only be selected if the discontinuance is for a reason other than reduction in expenditures, decrease in enrollment, or merger of classes. Examples may include, but are not limited to, poor enrollment in an academic program or a decrease of pupils in a particular grade level.

³ Check the District master agreement to see if an alternative timeline was negotiated. If so, change the timeline as needed.

⁴ Districts in "Cities of the First Class" should refer to Minn. Stat. 122A.41 as Minn. Stat. 122A.40 does not apply.

⁵ If the District has entered into an education district agreement pursuant to Minn. Stat. § 123A.15, *et seq.*, the following paragraph must be included: BE IT FURTHER RESOLVED that said placement on unrequested leave of absence (is)/(is not) the result of the implementation of an education district agreement.



BE IT FURTHER RESOLVED, that a notice of placement on unrequested leave of absence, together with a copy of this resolution and the hearing officer's determination and order be forwarded to said teacher personally and that an affidavit of the same be placed in the teacher's personnel file, together with a copy of the notice and resolution.

VOTING RECORD

The motion for the adoption of the preceding resolution was duly seconded by (BOARD MEMBER NAME) and upon vote being taken thereon,

the following voted in favor thereof,

the following voted against the same:

whereupon said resolution was declared duly passed and adopted on (DATE).



Form No. 17
Notice of Placement on Unrequested Leave of Absence After a Hearing Was Held¹

Dear (TEACHER NAME):

You are hereby notified that at a meeting of the School Board of Independent District No. , held on (DATE), a resolution was adopted by majority roll call vote of the full membership of the School Board, acknowledging (HEARING OFFICER NAME)'s order that you be placed on unrequested leave of absence as a teacher of Independent District No. on the grounds of (currently grounds listed in order Or insert A, B, C, and/or D) at the end of the 20 - school year effective (DATE), pursuant to Minn. Stat. 122A.40, subd. 10.² without pay or fringe benefits.³

- A. lack of pupils
- B. financial limitations
- C. merger of classes caused by consolidation
- D. discontinuance of position; namely, a (TEACHING AREA) teacher ⁴

A copy of the resolution duly adopted by the School Board is attached hereto for your information.

(Insert reinstatement process outlined in the District master agreement. Below is sample language based on the MSBA model teachers' master agreement.)

If a position becomes available in a field in which you are licensed and qualified, at any time up to five (5) years after your leave is effective, you may have a right to reinstatement to that position if you have sufficient seniority in the District and if you filed a written request with the (TITLE OF POSITION) for reinstatement prior to April 1 of each year while you are on leave. If you do not file such a written request each year, your right to reinstatement will be automatically terminated.

Please keep the (OFFICE NAME) advised in writing of your address at all times until your reinstatement rights have expired, so that the District may notify you of any available positions for which you may qualify.

Sincerely,

SCHOOL BOARD OF INDEPENDENT DISTRICT NO.

Clerk of the School Board

¹ A copy of this notice should be placed in the teacher's personnel file.

² Districts in "Cities of the First Class" should refer to Minn. Stat. 122A.41 as Minn. Stat. 122A.40 does not apply.

³ If the District has entered into an education district agreement pursuant to Minn. Stat. § 123A.15, *et seq.*, the following must be included in the notice: "Your proposed placement on unrequested leave of absence (is)/(is not) the result of the implementation of an education district agreement."

⁴ "Discontinuance of your position" should only be selected if the discontinuance is for a reason other than reduction in expenditures, decrease in enrollment, or merger of classes. Examples may include, but are not limited to, poor enrollment in an academic program or a decrease of pupils in a particular grade level.



Form No. 18
Affidavit of Service¹

STATE OF MINNESOTA

vs.

COUNTY OF _____

(NAME OF PERSON MAKING SERVICE), being duly sworn on oath says that on (DATE) I served the attached notice of proposed placement on unrequested leave of absence upon (TEACHER NAME), therein named, personally² at (SCHOOL NAME AND ADDRESS) in the County of (COUNTY NAME), State of Minnesota, by handing to and leaving with (TEACHER NAME) a true and correct copy thereof.³

Signature of person making service

Subscribed and sworn to before me this (DAY) day of (MONTH), (YEAR).

Notary Public

¹ A copy of this affidavit of service should be placed in the teacher's personnel file.

² It is recommended that notices of actual placement on unrequested leave of absence be served personally on the teacher.

³ Use this alternate language if affidavit was mailed: "by placing a true and correct copy thereof in an envelope addressed as follows: (TEACHER ADDRESS) which is the last known address of said teacher and depositing the same, with postage prepaid, certified mail, in the U. S. mails at (CITY), Minnesota.



Checklist for Reinstating Teachers From Unrequested Leave of Absence

	Prepared By	Date
<p>1. The Administration forms a reinstatement list and reports to the Board on the need to fill open positions.</p> <p>Accompanying Form:</p> <ul style="list-style-type: none"> • Form No. 19 (Reinstatement List) <p>Note: The reinstatement list shall list teachers in the inverse order from which they were placed on unrequested leave of absence.</p>		
<p>2. The Board adopts a resolution announcing the availability of positions.</p> <p>Accompanying Form:</p> <ul style="list-style-type: none"> • Form No. 20 (Resolution Announcing Availability of Positions) <p>Note: This resolution shall state position titles and not the specific names of teachers.</p>		
<p>3. The Administration determines which teachers qualify for available positions and notifies such teachers of said available positions.</p> <p>Accompanying Forms:</p> <ul style="list-style-type: none"> • Form No. 19 (Reinstatement List) • Form No. 21 (Notice of Position Availability) • Form No. 22 (Notice of Proposed Reinstatement) <p>Note: Insert the reinstatement process outlined in the District's master agreement. Below is sample language based on the MSBA model teachers' master agreement.</p> <p>No new teacher shall be employed by the District while any qualified teacher is on unrequested leave of absence in the same field and subject matter. Teachers placed on unrequested leave of absence shall be reinstated to the positions from which they have been placed on unrequested leave of absence or any other available positions in the District in the fields in which they are qualified as such positions become available. The order of reinstatement shall be in inverse order in which teachers were placed on unrequested leave of absence.</p> <p>If a position becomes available for a qualified teacher on unrequested leave of absence, the District shall mail the notice to such teacher, who shall have ten days from the date of such notice to accept the re-employment. Failure to accept, in writing, within such ten-day period shall constitute a waiver on the part of the teacher to any further rights of employment or reinstatement, and that teacher shall forfeit any future reinstatement or employment rights. In such case, the teacher should be removed from the reinstatement and seniority lists.</p>		



Formation of Reinstatement List

Refer to the District master agreement to see if language has been negotiated specifying the formation of a reinstatement list. Absent such language, MSBA recommends the reinstatement list include all teachers placed on unrequested leave of absence, including probationary teachers, if so placed. The teachers are listed in order of their first day of most recent continuous teaching service in the District. The names of teachers whose reinstatement rights have terminated, either due to the expiration of the reinstatement period or failure to file a written request for reinstatement by April 1st of each year, should be removed from the reinstatement list.

The following columns are included on Form No. 19:

- **Name:** The first and last name of the teacher.
- **First Day:** The first day of most recent continuous teaching service in the District. Time off for leave authorized by the District shall not be deemed to be a break in continuous service, unless otherwise indicated in the District master agreement.
- **Contract Status:** Contract status indicates whether the teacher is probationary or has completed the probationary period and now has continuing contract/tenure rights.
- **FTE:** FTE is the number of full-time equivalent units the teacher has been assigned.
- **Licensure Area(s):** The licensure area(s) currently filed with the District as of the agreed upon date in the District master agreement.
- **Expiration:** Expiration refers to the license(s) expiration date(s). A license expires June 30 of the year shown, unless otherwise indicated.
- **Qualified:** Qualified indicates whether the teacher is qualified, as defined by the District master agreement, to teach under each area of licensure. If the District master agreement lacks qualified language, remove this column from the seniority list and rosters.



Form No. 19
Reinstatement List

Name*	First Day	Contract Status	FTE	Licensure Area(s)	Expiration	Qualified
Elementary Education Grades 1 – 5						
(Last, First)	08/20/2012 Leave From 01/15/2016 to 08/01/2017	Continuing Contract/Tenured	1.0	· Elementary (K-6) · Pre-primary	· 2025 · 2025	· Yes · No
English Grades 5-12						
(Last, First)	8/23/2010	Continuing Contract/Tenured	1.0	· Communication Arts/Literature (5-8) · Reading (K-12)	· 2025 · 2025	· Yes · Yes
Etc.						

*Most senior teacher is listed first in each category.



Form No. 20
Resolution Announcing Availability of Positions

(BOARD MEMBER NAME) introduced the following resolution and moved its adoption:

BE IT RESOLVED, by the School Board of Independent District No. ___, as follows:

1. That the following specific positions are declared to be available:

1. _____
2. _____
3. _____

2. That reinstatement rights to the above positions shall be determined as of (DATE),
3. That the Superintendent and the Administration are directed to notify the appropriate persons on the reinstatement lists of the availability of the positions.

VOTING RECORD

The motion for the adoption of the preceding resolution was duly seconded by (BOARD MEMBER NAME) and upon vote being taken thereon,

the following voted in favor thereof,

the following voted against the same:

whereupon said resolution was declared duly passed and adopted on (DATE).



Form No. 21
Notice of Position Availability¹

Date

Dear (TEACHER NAME),

This is to notify you that the following position has become available: (POSITION TITLE).

Our records indicate that you are properly licensed to fill this vacancy and have reinstatement rights to this position.

Please advise the District in writing, whether you will assume the duties of this position. Such written notice must be received in the (OFFICE NAME) within (NUMBER OF DAYS) days of delivery of this letter. The School Board has determined that the duties of the position commence on (DATE).

While you have every right to use the full (NUMBER OF DAYS LISTED ABOVE) days to make your decision, if you make your decision earlier, a prompt reply would be appreciated by the District and by others who may be affected by your decision.

If you should have any questions, please contact the undersigned.

Sincerely,

(NAME AND TITLE)

¹ A copy of this notice should be placed in the teacher's personnel file.



Form No. 22
Notice of Proposed Reinstatement

Date

Dear (TEACHER NAME),

You are hereby notified that the following position has become available: (INSERT POSITION TITLE). The District proposes to (INSERT reinstate OR hire) (INSERT NAME OF PROPOSED TEACHER) to fill the position. In filling the position, the District has considered all potential realignments per the District master agreement and has determined that no reasonable realignment exists that would enable you to reinstatement.

If you wish to challenge this determination, you may do so in a hearing before the School Board, provided you make a request for such a hearing in writing within (NUMBER) of days after receipt of this notice. In the event no hearing is requested within such period, it shall be deemed acquiescence by you to the proposed (INSERT reinstatement OR hiring) of the above-named individual.

(If time is of the essence, the following paragraph may be inserted in said notice:

If you request a hearing, it will be held in the School Board room on (DATE), at (TIME) o'clock (a.m.)/(p.m.) or as soon thereafter as you can be heard.)

Sincerely,

(NAME AND TITLE)

