

PERSONNEL

Layoff of Tenured Teachers (Certificated Personnel)

AR 4117.7

Note: The layoff of tenured teachers shall comply with the requirements of Alaska Statute 14.20.177.

Any reduction in staff which is required should be undertaken so as to minimize disruption to the education program and to the provision of instructional services to students, and should cause the least deviation from the present assignment of personnel. The terms "reduction in certificated staff" or "layoff" refer to action the Craig City School District (CCSD) takes to reduce the number of certificated staff due to decreased enrollment and/or due to a reduction in the CCSD's basic need in an amount established by law.

Before CCSD lays off any tenured teacher, the school board shall adopt a layoff plan. The plan must identify academic and other programs that CCSD intends to maintain in implementing the layoff plan. The plan must also include procedures for layoff and recall of tenured teachers consistent with this section.

CCSD may place a tenured teacher on layoff status only after the district has given notice of nonretention to all nontenured teachers. However, CCSD may retain a nontenured teacher and place on layoff status a tenured teacher if there is no tenured teacher in the district who is qualified to replace the nontenured teacher. CCSD shall comply with the notice requirements set out in AS 14.20.140 in placing a tenured or nontenured teacher on layoff status.

1. Position Categories

For purposes of this section, a tenured teacher is considered qualified for a position if the position is in the following categories:

- A. Elementary teachers (K-5) will be considered for retention in one category and the teacher has an elementary endorsement.
- B. Secondary teachers (6-12) will be considered for retention in one category and the teacher has a middle school endorsement; or a secondary certificate with a subject area endorsement in the area of assignment in which the teacher filling the position will spend at least 40 percent of the teacher's time; or the teacher has, within the five years immediately preceding the last date on which the teacher performed teaching service in the district before being laid off, received an evaluation stating that the teacher's performance in the subject or subjects meets the district's performance standards.
- C. Other certificated staff members will be considered for retention according to their specialties which include:
 - a. Special Education
 - b. Music
 - c. Physical Education
 - d. Art
 - e. Technology

2. Qualifications

Each tenured teacher, in accordance with criteria set forth in Section 1 above, will be considered for retention in the category of specialty appropriate to the position he or she holds at the time of implementation of these procedures.

3. Implementation

Teachers shall be considered for retention in available positions within the categories or specialties for which they qualify for under Section 2. In the event that there are more qualified

employees than available positions in a given category or specialty, the following criteria shall be used to determine which employees shall be recommended for retention in order of priority:

- A. Certificate and endorsement areas
- B. Number of years' experience in the district
- C. Special skills related to student learning and safety (foreign languages, EMT training, technology certificates, etc.)
- D. Performance evaluations

Notwithstanding any provision of AS 23.40, the terms of CCSD's teacher collective bargaining agreement may not conflict with the provisions of AS 14.20.177

A teacher on layoff status is not entitled to be reemployed under AS 14.20.145 and does not accrue leave. However, layoff status does not constitute a break in service for retaining tenure rights and accrued sick leave.

4. Hiring Preference

For a period of three years after layoff, a teacher is on layoff status and is entitled to a hiring preference in CCSD. The hiring preference applies only to vacant teaching positions for which the teacher is qualified. If a teacher is offered a teaching position by CCSD and the teacher declines or fails to accept it within 30 days, the teacher is no longer considered to be on layoff status and is no longer entitled to a hiring preference unless the teacher declines the offer because the teacher is contractually obligated to provide professional services to another private or public educational program.

A teacher on layoff status is not entitled to be reemployed under AS 14.20.145 and does not accrue leave. However, layoff status does not constitute a break in service for retaining tenure rights and accrued sick leave.

Notwithstanding any provision of AS 23.40 the terms of a collective bargaining agreement entered between CCSD and the Craig Education Association may not be in conflict with the provisions of this section.

No new teacher shall be hired in a category or specialty identified in Section 1 until all qualified teachers in the reemployment pool category have been recalled, or have declined an offer of recall.

Added 11/2019

Reviewed 4/2021