

PROGRAM AND STAFF REDUCTIONS: 5284P

- 1.0 The necessity for and the extent of staff reduction will be determined by the Board of Education after receiving the recommendation of the Superintendent and his/her staff. The program to be offered in the event of staff reduction will be determined by the Board of Education after receiving the recommendations of patrons, students, staff members and the Superintendent.
- 2.0 The following, in the order listed, will be the factors considered by the Superintendent in determining the educational program or service to be provided, and the certificated employees who will be employed to provide the educational program or service.

The position of Superintendent shall not be governed by these rules and regulations.

- 2.1 **Educational Program or Service:** In making a recommendation on the educational program or service to be provided by the District, the Superintendent and his/her staff shall give consideration of the following factors:
 - 2.1.1 The needs of students as developed by historical subject enrollments of students consistent with requirements for graduation and minimum program requirements in accordance with WAC 180-51-061 and 180-16-(191-225).
 - 2.1.2 The funds available for the implementation of the educational program or service.
 - 2.1.3 The curriculum offerings based on the material developed under subdivisions 2.1.1 and 2.1.2 above.
 - 2.1.4 The positions needed to operate the educational program or service developed under subdivisions 2.1.1, 2.1.2 and 2.1.3 above.
- 2.2 **Retention of Certificated Teaching Staff:** The Superintendent and his/her staff shall develop a list of certificated employees to be recommended to the Board of Education for retention by the District to fill the positions needed to operate the educational program and services as determined in 2.1 above. The following requisites and criteria shall be applied in the order in which they are listed to the teaching staff, and the supportive staff, in developing the list of certificated employees to be retained. When a certificated employee qualifies for the position he/she now occupies as well as one or more other positions under the employment categories listed below, he/she shall be left in the position he/she now occupies.

As used in the above paragraph the term "qualify" shall mean those persons who satisfy the requirements for a position identified under 2.1.4 above, and whose educational preparation and experience conform to the requisites and criteria as set forth under Paragraphs 2.2.1.2.1, 2.2.1.2.2 and 2.2.1.2.3 below

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2.2.1 Teaching Staff Employment Category

2.2.1.1 Certification requisites: A teacher shall possess an appropriate valid Washington State certificate for the particular position being filled.

2.2.1.2 Preparation Requisites:

2.2.1.2.1 Elementary – Regular: For an elementary teaching position in a primary or intermediate grade a person must have at least three (3) quarter-hours of college credit in elementary reading.

Additionally, the person must have at least nine (9) college credits in any combination of the following fields: elementary mathematics, elementary science, elementary social studies, elementary arts, elementary music, elementary health and physical education, elementary language arts, children's literature, or methods of teaching at the elementary level.

The requirement of college preparation shall be waived for any certificated employee who has taught in a primary or intermediate position for at least fifty percent (50%) of his/her teaching time during the current school year or during any two (2) or more previous school years within the past ten (10) years.

2.2.1.2.2 Secondary – Regular: For a secondary teaching position a person must have a major or minor or the equivalent in a particular subject area in which at least fifty percent (50%) of his/her teaching time will be devoted. The requirements of college preparation shall be waived for any certificated employee in a secondary position if at least fifty percent (50%) of his/her teaching time during the current school year or during any two (2) or more previous school years within the past ten (10) years has been in that particular field.

2.2.1.2.2 Special Education - All Levels: All personnel employed in whole or in part from excess cost apportionment funds shall hold appropriate credentials and qualifications required for the particular position of employment by WAC 392-122.

2.2.1.3 Selection Criteria:

2.2.1.3.1 Length of Service and Education: When more than one (1) person qualifies for a particular position under the requisites listed above, the individual who has the highest rating based on the length of

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service and education formula described in Footnote #1 shall be offered the position.

2.2.1.3.2 **Experience in the Position:** When more than one (1) person qualifies for a particular position under the requisites and criteria listed above, the position shall be offered to the person who has the greatest length of service as an elementary teacher for an elementary position, as special education teacher for a special education position, or in the particular subject area for a secondary position.

2.2.1.3.3 **Individual Contract Signing Date:** When more than one (1) person qualifies for a particular position under the requisites and criteria listed above, the position shall be offered to the person with the earliest contract signing date. Contract signing date is defined as the date upon which the employee signed and dated his/her first contract with the District.

2.2.1.3.4 **Tie Breaker:** If a tie continues to exist a final selection shall be made by lot. Teachers involved shall be notified prior to the final selection.

2.2.2 Support Staff Employment Category

2.2.2.1 **Definition:** The supportive staff shall consist of psychologists, counselors, nurses, speech and hearing specialists, physical therapists, occupational therapists, librarians, reading assistants, itinerant music specialists, and basic skills specialists.

2.2.2.2 **Certification Requisite:** Supportive staff members shall have the special credential or certificate required for the particular position.

2.2.2.3 Selection Criteria:

2.2.2.3.1 **Length of Service and Education:** When more than one (1) person qualifies for a particular position under the requisite listed above, the individual who has the highest rating based on the length of service and education formula described in Footnote #1 shall be offered the position.

2.2.2.3.2 **Experience in Position:** When more than one (1) person qualifies for a particular supportive staff position under the requisites and criteria listed above, the person with the greatest length of service in the supportive staff position shall be given the position, provided, however, that the person holding such a staff position during the current school year or during one (1) of the two (2) previous school

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years shall be given priority for a supportive staff position before anyone who may otherwise qualify but who has not had experience during that period.

2.2.2.3.3 **Individual Contract Signing Date:** When more than one (1) person qualifies for a particular position under the requisites and criteria listed above, the position shall be offered to the person with the earliest contract signing date. Contract signing date is defined as the date upon which the employee signed and dated his/her first contract with the District.

2.2.2.3.4 **Tie Breaker:** If a tie continues to exist a formal selection shall be made by lot. Teachers involved shall be notified prior to the final selection.

2.2.2 Administrative Staff Employment Category

2.2.3.1 **Definitions:** The administrative staff shall consist of Assistant Superintendents, Chief Executive Officers, Executive Directors, Directors, Senior High School Principals, Middle School Principals, Elementary Principals, Senior High School Assistant Principals, Middle School Assistant Principals, Managers and Coordinators.

2.2.3.2 **Certificated Administrators:** Certificated staff members employed in administrative positions not represented by Federal Way Education Association shall be eligible for retention in one or more of the employment categories identified in Sections 2.2.1 and 2.2.2.

2.2.3.3 **Certification:** All certificated administrative staff members shall possess an appropriate valid Washington State teaching or educational staff associate certificate, and endorsements if applicable, for the particular position being filled.

2.2.3.4 **Non-Certificated Administrators:** The Superintendent shall in accordance with Section 2.1 determine which non-certificated administrative positions will be retained and which non-certificated administrative positions will be reduced or eliminated.

2.3 **Application of Selection Criteria:** The Superintendent and his/her staff shall develop a list of certificated employees to be recommended to the Board of Education for retention by the District to fill the positions needed to operate the educational program or services as determined in Paragraph 2.1 above. Said list will be developed according to the following guidelines:

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- 2.3.1 Step I - A list will be developed of all certificated employees in descending rank order in accordance with the Length of Service and Education Formula in Footnote #1.
 - 2.3.2 Step II- A list of those positions needed to operate the educational program or service will be developed as in Paragraph 2.1, Item 2.1.4 above.
 - 2.3.3 Step III - Beginning with the top of the certificated employee list and continuing in order down the list, certificated employees will be placed in their current positions according to the requisites and selection criteria listed above for teaching staff positions, supportive staff positions, and administrative staff positions.
 - 2.3.4 Step IV - When a certificated employee cannot be placed in his/her current position, the employee will be placed in another position for which he/she qualifies, if one is available consistent with this policy, according to the requisites and selection criteria listed above for teaching staff positions, supportive staff positions, and administrative staff positions.
 - 2.3.5 Step V - Tie Breaker - Ties shall be broken using the application of the selection criteria specified in subparagraphs, 2.2.1.3.1, 2.2.1.3.2, 2.2.1.3.3, and 2.2.1.3.4, and/or 2.2.2.3.1, 2.2.2.3.2, 2.2.2.3.3, 2.2.3.1 and 2.2.3.2.
 - 2.3.6 Step VI - Non-Renewal- If, after the above procedures have been followed and the employee still cannot be placed in a position for which he/she qualifies, he/she will be non-renewed and placed in the employment pool as set forth under Paragraph 2.6 below.
- 2.4 **Board Review and Action:** The Board of Education shall review the recommendation of the Superintendent. After review, the Board shall take such action as may be necessary and such notice shall be given certificated staff members as required by law. Final action to terminate any contract shall be taken under statutes as may exist from time to time.
- 2.5 **Retained Staff Transfers**
- 2.5.1 Following the establishment of additional positions the administration will reassign certificated staff to buildings where they held positions during the previous school year to the extent that such positions are available.
 - 2.5.2 After implementation of 2.5.1 (above) the District will notify the Association of vacancies. Such vacancies will be posted on the District website.
 - 2.5.3 Retained staff members interested in a vacant position must apply in writing to the Human Resources Department during the period described on the posting.
 - 2.5.4 Selection for vacant positions shall be based upon the following criteria to be used by the District for determining position assignments:

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- 2.5.4.1 The professional qualifications of the individual to fill the requirements of each posted position;
- 2.5.4.2 The demonstrated skill and ability of the applicant; and
- 2.5.4.3 The specific requirements of each position shall include but are not limited to special programs, building priorities and building organization. Consideration will be given to the interests and aspirations of individual teachers. Whenever two or more candidates are equally qualified to fill the requirements of a position in accordance with criteria 2.5.4.1 and 2.5.4.2, the candidate with the greatest length of service shall be awarded the position.

- 2.6 **District Employment Pool:** All certificated employees who remain in the District Employment Pool will be retained in said pool for a period not to exceed two (2) years from the date of official Board action of non-renewal or until said pool is exhausted, whichever occurs first. However, a certificated employee who refuses two offers by the District of a *full-time continuing contract certificated position when recalled, or a certificated employee who accepts a position in education outside the district will be dropped from the employment pool and will lose all rights under this policy or any Contractual Agreement. Certificated employees who remain in the employment pool will be placed on a substitute teachers' list if they so desire and shall be called first for that school year they are in the employment pool.

*Part-time certificated employees on the recall list will only receive offers for open positions that have the equivalent FTE to the FTE they had at the time they were placed on the recall list. The remaining provisions of this section apply to them as stated.

It shall be the responsibility of the certificated employee to keep the Human Resources Department notified of the employee's current address and telephone number as an offered contract must be signed and returned not later than ten (10) days from the issuing date.

- 2.7 **Recall by Assignment to Vacant Positions:** Assignments to those positions still vacant after application of Paragraph 2.5, Retained Staff Transfers, shall be made from the employment pool in accordance with the following:

- 2.7.1 If no retained staff member is assigned to a vacant posted position, then such positions are to be filled from the employment pool.
- 2.7.2 Positions vacated through reassignment of retained staff shall be filled from the employment pool.
- 2.7.3 Recall of non-renewed employees from the pool shall be in descending order of points as determined from the Length of Service and Education Formula (Footnote #1) and who further qualify according to employment category and selection criteria.

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- 2.7.4 If no qualified person is available from the employment pool, filling of the vacant positions shall be by administrative determination.
- 2.8 The District shall make available to the Federal Way Education Association the following information upon request:
 - 2.8.1 Budgeted revenues by budget category for the current, previous, and ensuing year.
 - 2.8.2 Budget disbursements by budget category for the current, previous, and ensuing year.
 - 2.8.3 Estimated and actual FTE enrollments for the current, previous, and ensuing year.
 - 2.8.4 Delinquent taxes and delinquent tax collections for the current and two (2) previous years.
 - 2.8.5 Property tax estimates for the current, two (2) previous, and ensuing years(s).
 - 2.8.6 Property tax collections for the current and two (2) previous years.
 - 2.8.7 Additional income from State, Federal, or other agencies, accrued to the District, and/or distributed to the County Treasurer for credit to the District's current or future accounts, for the current and two (2) previous years.
 - 2.8.8 Anticipated cash reserves, balances, etc., and actual cash reserves, balances, etc. for the current and two (2) previous years.
 - 2.8.9 Any and all funds invested in:
 - 2.8.9.1 Savings or time accounts in banks, trust companies, mutual savings banks, savings and loan associations.
 - 2.8.9.2 Obligations, securities, certificates, notes, bonds, or short-term securities or obligations for the United States.
 - 2.8.9.3 Any other institution or agency selected by the Board or county comptroller.
- 2.9 The Federal Way Education Association will be asked to provide two (2) persons to assist the Human Resources Department in verifying the list of certificated employees to be recommended to the Board for retention by the District. Said employees shall be granted released time for one (1) workday for verification of the list. A second (2nd) day shall be granted if needed.

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FOOTNOTE #1**1. Applicable to all employees****1.1 Length of Service and Education Formula****1.1.1 Experience Points**

1.1.1.1 For each year of actual certificated experience an individual has gained within the State of Washington including the current school year, which includes service in public or private elementary or secondary schools while holding valid certificates issued by one of the states within the U.S.A. Ninety (90) days or more of teaching experience, regular, or substitute in anyone (1) school year shall constitute one (1) year of service add 1.00.

1.1.1.2 For each year of actual certificated experience an individual has gained outside the State of Washington prior to the current school year, including service in public or private elementary or secondary schools while holding valid certificates issued by one of the states within the U.S.A. Ninety (90) days or more of teaching experience, regular or substitute, in anyone (1) school year shall constitute one (1) year of service add 0.75.

1.1.2 Education

Add the points for highest level of credits earned.

1.1.2.1 Bachelor of Arts or Science + 15 credits, or Standard Certificate - **add 1.00**

1.1.2.2 B.A./B.S. + 20 - **add 2.00**

1.1.2.3 B.A./B.S. + 45 - **add 3.00**

1.1.2.4 B.A./B.S. + 90 - **add 4.00**

1.1.2.5 Masters add 5.00

1.1.2.6 B.A./B.S. +135 - **add 6.00**

1.1.2.7 Masters + 45 - **add 7.00**

1.1.2.8 Masters + 90/Ph.D. - **add 8.00**