

Book	Policy Manual
Section	2/12/24 Board Mtg
Title	STAFF REDUCTIONS/RECALLS
Code	po3131
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### **Revised Policy - Special Update - November 2023**

#### **3131 - STAFF REDUCTIONS/RECALLS**

It is the policy of this Board that all personnel decisions shall be based on retaining effective teachers in situations involving a staffing or program reduction or any other personnel decision resulting in the elimination of a position, as well as for hiring after such reductions/position eliminations or recall to vacant positions. The District shall not utilize length of service as the sole factor in personnel decisions. **[DRAFTING NOTE: This is optional only because the statute does not require it. It is recommended that districts select and retain this option.]**  Length of service or tenure status may only be considered by the administration when all other factors, as listed below, are considered equal amongst the potentially affected teachers. **[END OF OPTION]** ~~Length of service or tenure status may only be considered by the administration when all other factors, as listed below, are considered equal amongst the potentially affected teachers.~~

**[DRAFTING NOTE: This language was removed from M.C.L. 380.1248 and will need to be bargained, but a district may choose to maintain it in policy.]**

This policy shall not operate or be applied to retain or recall a teacher whose most recent performance evaluation contains an overall rating of minimally effective or ineffective ~~Minimally Effective or Ineffective~~  or developing or needing support **[END OF OPTION]** in preference to any properly certified and qualified teacher with a higher effectiveness rating as reflected in that teacher's most recent performance evaluation. This policy also shall not operate or be applied to retain or recall a probationary teacher who has received a rating of either minimally effective or ineffective ~~Minimally Effective or Ineffective~~ in preference to any properly certified and qualified teacher with a higher effectiveness rating. **[END OF OPTION]** **[DRAFTING NOTE: the following language remains in the Teachers' Tenure Act and should be maintained as revised]** A probationary teacher who is rated as effective ~~Effective~~ or, prior to July 1, 2024, as highly effective ~~Highly Effective~~ on his/her most recent annual performance evaluation is not subject to displacement ~~being displaced~~ under this policy by a tenured teacher solely because the other teacher has attained tenure under the Teachers' Tenure Act.

The effectiveness of teachers as measured under ~~shall be measured in accordance with~~ the District's performance evaluation system developed under Section 1249 of the School Code or as otherwise collectively bargained must be used as a factor for personnel decisions. ~~, and the personnel decisions shall be based on the following factors:~~

The following shall also be used for personnel decisions made under this policy:

**[DRAFTING NOTE: the first three (3) items listed below are expressly allowed by statute to be used for personnel decisions. The remaining subparts are no longer mentioned in the statute and districts should consider whether they wish to retain them as factors. Please note that these could change again if the Governor signs the enrolled senate bills relating to the evaluation system.]**

- A.  The teacher's length of service in a grade level or subject area.
- B.  The teacher's disciplinary record.
- C.  Relevant special training. This factor may be based on completion of relevant training, other than the professional development or continuing education, which is required by the employer or by State law, and the integration of that training into instruction in a meaningful way.

**~~[DRAFTING NOTE: The following are no longer listed in M.C.L. 380.1248 as of February 13, 2024.]~~**

- ~~D. [-] Evidence of student growth, which shall be the predominant factor in assessing an employee's individual performance.~~
- ~~E. [-] The teacher's demonstrated pedagogical skills, including at least a special determination concerning the teacher's knowledge of the teacher's subject area and the ability to impart that knowledge through planning, delivering rigorous content, checking for and building higher level understanding, differentiating, and managing a classroom; and consistent preparation to maximize instructional time.~~
- ~~F. [-] The teacher's management of the classroom, manner and efficacy of disciplining students, rapport with parents and other teachers, and ability to withstand the strain of teaching.~~
- ~~G. [-] The teacher's attendance record.~~
- ~~H. [-] Significant, relevant accomplishments and contributions. This factor shall be based on whether the individual contributes to the overall performance of the school by making clear, significant, relevant contributions above the normal expectations for an individual in the teacher's peer group and having demonstrated a record of exceptional performance.~~
- ~~D. Compliance with applicable state or federal regulatory standards, including standards established as a condition to receipt of foundation, grant, or categorical funding;~~
- ~~E. Credentials needed for District, school, or program accreditation;~~
- ~~F. District-provided professional development, training, and academic preparation for an instructional assignment that is anticipated to contribute to the teacher's effectiveness in that assignment and is integrated into instruction;~~
- ~~G. Recency of relevant and comparable teaching assignments;~~
- ~~H. Previous effectiveness ratings;~~
- ~~I. Attendance and punctuality;~~
- ~~J. Rapport with colleagues, parents, and students;~~
- ~~K. Ability to withstand the strain of teaching;~~
- ~~L. Compliance with state and federal law; and~~
- ~~C.M. Other relevant factors as determined by the Superintendent or designee.~~
- ~~A. Individual performance shall be the majority factor in making the decision, and shall consist of but is not limited to all of the following:~~
- ~~1. Evidence of student growth, which shall be the predominant factor in assessing an employee's individual performance.~~
  - ~~2. The teacher's demonstrated pedagogical skills, including at least a special determination concerning the teacher's knowledge of his or her subject area and the ability to impart that knowledge through planning, delivering rigorous content, checking for and building higher level understanding, differentiating, and managing a classroom; and consistent preparation to maximize instructional time.~~
  - ~~3. The teacher's management of the classroom, manner and efficacy of disciplining students, rapport with parents and other teachers, and ability to withstand the strain of teaching.~~
  - ~~4. The teacher's attendance and disciplinary record, if any.~~
- ~~B. Significant, relevant accomplishments and contributions. This factor shall be based on whether the individual contributes to the overall performance of the school by making clear, significant, relevant contributions above the normal expectations for an individual in his/her peer group and having demonstrated a record of exceptional performance.~~
- ~~C. Relevant special training. This factor shall be based on completion of relevant training other than the professional development or continuing education that is required by the employer or by state law, and integration of that training into instruction in a meaningful way.~~

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Legal

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M.C.L. 380.1248