

# Lakeland Board of Education

Monitoring: <b>Review: Annually, in February</b>	Descriptor Term:  <b>Staff Positions</b>	Descriptor Code: <b>5.116</b>	Issued Date: <b>02/10/14</b>
		Rescinds:	Issued:

## 1 CREATION OF POSITION

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3 All staff positions shall be approved through the budget process in accordance with an organizational  
4 plan submitted by the superintendent.<sup>1</sup> Before an additional position is established, the superintendent  
5 shall present to the Board a job description, qualifications, performance responsibilities and the method  
6 by which the performance of these responsibilities will be evaluated.

7  
8 The superintendent may revise the organizational plan as long as budgetary amounts are not ex-  
9 ceeded and board policy is not violated. In the event of reorganization, the superintendent shall  
10 adhere to all applicable reduction in force guidelines and shall inform, in a timely manner, the  
11 Board of the change and include the change in the superintendent's report at the next board meeting. If  
12 changes in personnel create additional encumbrances on a future budget, prior approval of the Board  
13 is required.

## 14 15 REDUCTION IN FORCE

16  
17 When it becomes necessary to reduce the number of positions in the system because of a decrease in  
18 enrollment or for other good reasons, the Board shall abolish the positions. The Board or the superin-  
19 tendent, as appropriate, shall dismiss such employees as may be necessary.<sup>2</sup>

## 20 21 Licensed Personnel

22  
23 Reductions in staff shall be made in an attempt to have the least detrimental effect on children. In  
24 general, this objective dictates a staff reduction policy which:

- 25 1. Retains the most effective teachers;
- 26 2. Avoids undue increases in class size; and
- 27 3. Provides consideration for the exceptional teacher without exclusive emphasis on seniority.

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29  
30 The elimination of a position does not necessarily mean the person occupying the position will be  
31 dismissed. When an employee is released, the superintendent shall make the decision based upon a  
32 composite of the following criteria:

- 33 1. Effectiveness in teaching and in related professional responsibilities evidenced by teacher  
34 evaluation;
- 35 2. Adaptability to other assignments (academic and extracurricular);
- 36 3. Evidence of professional growth as well as specialized or advanced training;
- 37 4. Previous history of grade levels and subject areas taught; and
- 38
- 39
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3 5. Type, length and quality of service made to the teaching profession and the school system.  
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5 When a teacher is released because of reduction in staff, the teacher shall be given written notice of  
6 release explaining the circumstances or conditions making dismissal necessary.  
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### 8 **Non-Licensed Personnel**

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10 When a non-licensed employee is released because of a reduction in the number of support positions,  
11 the superintendent shall give the employee written notice of dismissal explaining the circumstances or  
12 conditions making termination of employment necessary.<sup>3</sup>  
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14 The contract of each non-licensed employee shall contain a statement regarding the reduction in force  
15 policy.  
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### 17 **RECALL**

18

19 The superintendent shall maintain a preferred re-employment list for tenured teachers whose position is  
20 abolished.<sup>3</sup> The fitness of any teacher for re-employment shall be determined on the basis of the teacher's  
21 competence, compatibility and suitability to properly discharge the duties required by the position with  
22 consideration for the best interests of the students in the school where the vacancy exists.<sup>2</sup>  
23

24 It shall be the responsibility of the separated teacher to notify the superintendent in writing of his/her  
25 availability and current address. A professional employee who is placed on the preferred re-employment  
26 list and subsequently refuses the offer of a comparable position shall be removed from the preferred list.<sup>4</sup>  
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28 Any teacher who has been on the preferred list for re-employment for two (2) consecutive years shall,  
29 by April 1 of the second consecutive year, receive notice that the teacher's name shall be removed from  
30 the list. The superintendent shall send the notice to the last known address of the teacher. A teacher  
31 who wishes to remain on the preferred list for re-employment after the second year shall notify the  
32 superintendent in writing by April 15 of the second year and each subsequent year of his or her desire  
33 to remain on the preferred list for re-employment.<sup>4</sup>  
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35 Employees returning from lay-off shall have all previously accrued sick leave and years of service re-  
36 instated, but they shall not receive benefits for the period of the layoff.  
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42 Legal References:

- 43 1. OP Tenn. Atty. Gen. 93-66 (November 29, 1993)  
44 2. TCA 49-5-409(c); TCA 49-2-301 (b)(1)(EE)  
45 3. TCA 49-5-511(b)(1)  
46 4. TCA 49-5-511(b)(4)  
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