

Franklin Special Board of Education

Monitoring: Review: Annually, in February	Descriptor Term: Staff Positions	Descriptor Code: 5.116	Issued Date: 06/08/09
		Rescinds: 5.116	Issued: 11/09/98

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 director of schools.¹ Before an additional position is established, the director of
5 schools will present to the Board a job description, qualifications, performance responsibilities and the
6 method by which the performance of these responsibilities will be evaluated.

7
8 The director of schools may revise the organizational plan as long as budgetary amounts are not exceeded
9 and board policy is not violated. In the event of reorganization, the director of schools will adhere to all
10 applicable reduction in force guidelines and will inform, in a timely manner, each member of the board
11 of the change and include the change in the director's report at the next board meeting. If change in
12 personnel creates additional encumbrance on a future budget, prior approval of the Board is required.

13
14 **REDUCTION IN FORCE**

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16 When it becomes necessary to reduce the number of positions in the system because of a decrease in
17 enrollment or for other good reasons, the Board shall abolish the positions and dismiss such employees as
18 may be necessary.² Reductions in staff will be made according to which will have the least detrimental
19 effect on children. An employee on leave of absence shall be eligible for reduction in staff as though
20 he/she were in active service, unless otherwise protected by law or policy.

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22 **NON-TENURED PERSONNEL**

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24 In general, for non-tenured personnel this policy dictates action which:

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26 1. Retains the most effective teachers;
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28 2. Avoids undue increases in class size; and
- 29
30 3. Provides consideration for the exceptional teacher without exclusive emphasis on seniority.

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32 The elimination of a position does not necessarily mean the person occupying the position will be dis-
33 missed. When a position is eliminated, it is the responsibility of the director to make a recommendation
34 to the Board about which employee shall be released and to justify the recommendation based upon a
35 composite of the following criteria:

- 36
37 1. Effectiveness in teaching and in related professional responsibilities evidenced by teacher
38 evaluation;
- 39
40 2. Adaptability to other assignments (academic and extracurricular);
- 41

- 3. Evidence of professional growth as well as specialized or advanced training;
- 4. Previous history of grade levels and subject areas taught; and
- 5. Type, length and quality of service made to the teaching profession and the school system.

TENURED PERSONNEL

When an employee is released because of reduction in staff, the decision shall be based on the date of employment in the Franklin Special School District. Only after considering non-tenured staff, the tenured employee with the least amount of service in the District shall be released first.

LICENSED PERSONNEL

When a teacher is released because of reduction in staff, the teacher shall be given written notice of release explaining the circumstances or conditions making dismissal necessary. A non-tenured teacher who has been released because of abolition of position shall be entitled to the first vacancy he/she is certified to hold during the remainder of the school year.² A tenured teacher who has been released because of abolition of position shall be entitled to consideration for the next position he/she is qualified to hold and shall remain on a preferred list for employment for two consecutive years.^{1,3}

The fitness of any teacher for re-employment shall be determined on the basis of the teacher’s competence, compatibility and suitability to properly discharge the duties required by the position with consideration for the best interests of the students in the school where the vacancy exists.²

It shall be the responsibility of the separated teacher to notify the director of schools in writing of his/her availability and current address.

NON-LICENSED PERSONNEL

When a non-licensed employee is released because of a reduction in the number of support positions, the director of schools shall give the employee written notice of dismissal explaining the circumstances or conditions making termination of employment necessary.³

The letter of employment of each non-licensed employee shall contain a statement regarding the reduction in force policy.

Legal References:

- 1. OP Tenn. Atty. Gen. 93-66 (November 29, 1993)
- 2. TCA 49-5-409(d); TCA 49-2-301(b)(1)(EE)
- 3. TCA 49-5-511(b)