

### **CERTIFIED TEACHERS**

**Definition:** Certified teacher means a person who holds a teaching certificate or license, who is employed as a teacher, counselor, librarian, school nurse, entry-year teacher, or in any other instructional position for which a teaching license or certificate is required by the Oklahoma State Department of Education, and who does not exercise supervisory authority with respect to other certified teachers of the District.

**Standards of Performance and Conduct:** Certified teachers are expected to adhere to the standards of performance and conduct for teachers which are adopted by the Oklahoma State Board of Education, and such standards of performance and conduct are incorporated herein by reference as if fully set forth.

**Duties and Responsibilities:** Certified teachers shall perform those duties and responsibilities set forth in any applicable job description, negotiated agreement, contract, District policy, or Administrative Regulation.

**Admonishment:** Certified teachers may be admonished as provided by law or any applicable negotiated agreement.

**Dismissal, Non-reemployment, or Suspension:** Certified teachers may be dismissed, non-reemployed, or suspended according to applicable law and/or any applicable negotiated agreement.

**Temporary Teachers:** Certified teachers may be employed on a temporary basis in certain circumstances and pursuant to a Temporary Teacher Contract. Temporary Teacher Contracts are not subject to the continuing contract law and shall be effective only for the specified term which shall not exceed the end of the school year in which the contract begins. Temporary Teacher Contracts may be utilized for certified teachers who are employed:

1. in positions which are fully funded by federal or private categorical grants;
2. for a period of time during the absence of a teacher on District-approved leave;
3. to fill a new position created because of increased enrollment after the commencement of school;
4. to fill a vacancy which occurs after July 1; or
5. to fill a need of the District which does not require a full-time, permanent position.

**Reduction in Force:** In the event it becomes necessary to reduce the number of certified teachers because of actual or projected decreases in revenues, actual or projected declines in enrollment, consolidation of programs or positions, elimination of programs, changes in curriculum, or other circumstances determined by the Board, the Board may undertake a reduction in force in accordance with the provisions of any applicable negotiated agreement. In the event that there is no applicable negotiated agreement in place, a reduction will be implemented in accordance with this policy, as follows:

**General:** In the event it becomes necessary to reduce the number of certified teachers because of actual or projected decreases in revenues, actual or projected declines in enrollment, consolidation of programs or positions, elimination of programs, changes in curriculum, or other circumstances determined by the Board, the position or program to be eliminated shall be the determining factor for the reduction in force, not the individual(s) who occupies the position or serves the program.

**Order of Reduction:** Certified teachers shall be reduced as follows:

- A. A licensed teacher in an eliminated position will be terminated first.
- B. A probationary teacher in an eliminated position will be terminated second. However, if a probationary teacher is certified for a position held by a licensed teacher, the probationary teacher will be reassigned to that position, and the licensed teacher will be terminated.
- C. A career teacher in an eliminated position will be placed in a retained position in which the teacher is, at the time of the presentation of the recommendation to reduce force, certified by standard certification, provided the position is occupied by a probationary or licensed teacher.
- D. If a career teacher is qualified for standard certification in a position held by a probationary or licensed teacher but does not have such a certificate, then such career teacher must have evidence of eligibility for such certification in the career teacher's personnel file at the time of the presentation of the recommendation to reduce force.
- E. If there is more than one career teacher assigned to a like position that is subject to being eliminated, the following criteria, in this order, will be used to determine which of the career teachers will be retained:
  1. Certification in a retained teaching position which is open. A career teacher with standard certification for the retained position will be retained over a career teacher with provisional certification, and a teacher with provisional certification will be retained over a teacher with temporary certification or a license.
  2. Years of full-time, uninterrupted, continuous teaching experience in the District.
  3. Academic degree status: A teacher with a doctor's degree will be retained over a teacher with a master's or a bachelor's degree; a teacher with a master's will be retained over a teacher with a bachelor's degree.
  4. Current year evaluations.

5. Recommendation of Superintendent.
  6. Qualifications and experience relative to Extra-Duty Assignments.
- F. If there is more than one probationary teacher or more than one licensed teacher in the position being reduced, the criteria listed in E1- 6 will be used in determining which probationary teacher or licensed teacher will be retained.

**Hearing Procedures:** The recommendation for a reduction in force may be questioned by an affected teacher in the form of a hearing. The procedures for such hearing are as follows:

- A. When the Superintendent determines that a reduction in force of certified personnel shall occur, the Superintendent shall submit a recommendation to the Board. The Board shall receive the recommendation, set a hearing date, and direct the Superintendent to notify any affected teacher of the right to a hearing.
- B. The Superintendent shall cause a copy of the recommendation for a reduction in force to be mailed to any affected teacher by certified mail, restricted delivery, return receipt requested, or by substitute process as provided by law along with notice of a right to a hearing before the Board and the date, time, and place set by the Board for the hearing within the school district not sooner than twenty (20) days or later than sixty (60) after the teacher's receipt of the notice. The hearing shall be conducted by the Board according to procedures set by the Board and as required by applicable state law or regulation.
- C. After said hearing, the Board shall vote whether to renew, non-renew, or terminate the teacher and shall notify the teacher of its decision by certified mail, restricted delivery, return receipt requested or other appropriate process.
- D. The reduction in force procedures shall not apply to teachers exempted from the Teacher Due Process Act of 1990.