

STAFF REDUCTION PROCEDURES

1. General Statement

Under the provisions of Section 10-220 and 10-4a of the General Statutes, the Board of Education has the responsibility to maintain good public elementary and secondary schools and to implement the educational interest of the State. However, recognizing also that it may become necessary to eliminate certified staff positions in certain circumstances, this policy seeks to provide a fair and orderly process should such reductions in staff become necessary.

2. Reasons for Elimination of Certified Staff Positions

It is recognized that the Board has the sole and exclusive prerogative to eliminate certified staff positions consistent with the provisions of State statutes, providing such elimination does not result in a failure in its duty as a State agency to implement the educational interests of the State to provide a good public education in Newtown.

Elimination of certified staff positions may result from decreases in student enrollment, changes in curriculum, severe financial conditions, or other circumstances as determined by the Board.

3. Definitions

- A. The term days shall mean calendar days.
- B. The term teacher shall be any employee of the Board who holds a certificate issued by the State Board of Education and is employed in a teaching or administrative position below the rank of Superintendent.

4. Procedure

- A. Prior to commencing action to terminate teacher contracts under this procedure, the Board will give due consideration to its ability to effectuate position elimination and/or reduction in staff by:
 - 1. Voluntary retirements
 - 2. Voluntary resignation
 - 3. Transfer of existing staff members
 - 4. Voluntary leaves of absence

B. If a teacher has attained tenure status, his or her contract of employment may be terminated if his or her position is eliminated, but only if there is no other position for which that teacher is certified and qualified available in the Newtown Public Schools. This shall include first preference with regard to positions that are held by non-tenured teachers, in addition to positions that are open and available. When selecting teachers for non-renewal, the primary criterion to be applied will be successful teaching in the Newtown school system. Determination of those to be released within a certificate category shall be in the following order:

1. Non-tenured teacher
2. Tenured teachers holding provisional certificate
3. Tenured teachers holding professional certificate

C. The primary criterion to be used in selecting those employees who are to be considered for termination with the broad tenure categories established in 4-B shall be the employee's qualifications and ability as a teacher as determined by the evaluation of performance procedure established in the current agreement. In addition, the following criteria will be considered in making a decision about termination of services:

1. Areas of certification
2. Teaching experience in other positions that may be available in the Newtown Public Schools
3. Degree status
4. Total years of teaching experience
5. Total years of teaching experience in the Newtown Public Schools

D. If the Board considers termination of the contract of a tenured teacher, it shall authorize the Superintendent to notify the teacher in writing that termination of his or her contract is under consideration.

Such initial notice shall state "This is to notify you that termination of your contract of employment is under consideration."

5. Policy Provisions Not Applicable to Promotions

Nothing herein shall require the promotion of a teacher to a position of higher rank, authority, or compensation, although the teacher whose contract is to be terminated or nonrenewed because of elimination of position is qualified and/or certified for the promotional position.

6. Reappointment Procedure

If the contract of employment of a tenured teacher is terminated because of position elimination, the name of that teacher shall be placed on a reappointment list and remain on such list for a period of two years. If a position within the area of that teacher's certification becomes open during such period and that person is considered most qualified to fill the vacancy, then that teacher will be notified by certified mail, sent to the last known address of the teacher, at least thirty (30) days prior to the anticipated date of reemployment where possible.

In determining whether a teacher is qualified for reappointment, the criteria set forth in Section 4 above shall be considered.

The teacher shall accept or reject the appointment in writing within ten (10) days after receipt of notification. If the appointment is accepted, the teacher shall receive a written contract within twenty (20) days of the teacher's acceptance of the offer. If the teacher rejects the appointment offer or does not respond within ten (10) days after receipt of such notification, the name of the teacher shall be removed from the reappointment list.

Reference: CGS 10-220, 10-4a, 10-151(c), 10-151h

Adopted 6/22/76

Amended 2/18/92, 10/10/95