

Board File: GCKAA

TEACHER DISPLACEMENT

This policy shall apply to nonprobationary teacher displacements. It shall not apply to teacher dismissals, nonrenewals, reductions in force or other personnel actions that do not result in the displacement of teachers.

Definitions

For purposes of this policy, the following definitions shall apply:

1. "Teacher" means a person who holds a teacher's license issued pursuant to the Colorado Educator Licensing Act, C.R.S. 22-60.5-101 *et seq.* and who is employed to instruct, direct or supervise the instructional program. "Teacher" does not include those persons holding authorizations or administrative positions within the school district.
2. "Displaced teacher" means any nonprobationary teacher who is removed from the teacher's assigned school for reasons including, but not limited to: a drop in enrollment; turnaround; phase-out; reduction in program; or reduction in building, including closure, consolidation or reconstitution.
3. "Mutual consent placement" occurs when a displaced teacher applies for a position under the supervision of another principal and the hiring principal consents. The hiring principal's consent must consider input from at least two teachers employed at the school and chosen by the teaching faculty at the school to represent them in the hiring process.
4. "Priority hiring pool" is a subgroup of displaced teachers who were actively employed and deemed satisfactory or effective in their performance evaluation preceding their displacement and who have not secured a mutual consent placement. Displaced teachers in the priority hiring pool shall receive the first opportunity to interview for a reasonable number of available positions for which they are qualified within the district.
5. "Hiring cycle" means the period of time during which the Board reviews the staffing needs of the district and acts to fill vacant positions, if any. The Board engages in two hiring cycles each calendar year: first, when the Board projects and fills staffing needs for the next school year (between approximately March and the day before the opening day of the next school year); and, second, as the Board reviews its current staffing and makes adjustments as necessary during the current school year (from the first day of school through the last day of the current school year).

Superintendent's action

The superintendent or his designee shall cause written notice of displacement to be provided to all displaced teachers, and shall thereafter immediately cause a displaced teacher to receive an initial list of all vacant positions for which the teacher is qualified, as well as a list of vacancies in any area identified by the district to be an area of critical need. As necessary and appropriate, the superintendent shall submit to the Board teacher displacement recommendations and the Board may revise as necessary its statement of action.

Mutual consent placement

Displaced teachers shall have the right to pursue a mutual consent placement in the district. Displaced teachers who were deemed satisfactory or effective in their performance evaluation preceding their displacement shall be members of the priority hiring pool. Any displaced teacher remains solely responsible for pursuing any and all vacancies for which the teacher is qualified.

During the period in which the displaced teacher is attempting to secure a mutual consent placement, the district may place a displaced teacher in a 12-month assignment or other limited-term assignments, including, but not limited to, a teaching assignment, substitute assignment or instructional support role. Such assignment by the district is not a mutual consent placement.

If a displaced teacher is unable to secure a mutual consent placement in a district school after 12 months or two hiring cycles, whichever period is longer, the district shall place the displaced teacher on unpaid leave until such time as the displaced teacher is able to secure a mutual consent placement.

Adopted by the Board: June 9, 2020

LEGAL REFS.:

C.R.S. 22-60.5-101 *et seq.* (Colorado Educator Licensing Act of 1991)

C.R.S. 22-63-101 *et seq.* (Teacher Employment, Compensation, and Dismissal Act of 1990)

C.R.S. 22-63-202 (2)(c.5) (displacement and mutual consent provisions)

C.R.S. 22-63-202 (2)(c.5)(II)(B) (requirement to develop policies for Board adoption addressing displacement and mutual consent provisions)

C.R.S. 22-63-206 (permitting transfer of teachers from one school, position or grade level to another)

CROSS REFS.:

GCE/GCF, Professional Staff Recruiting/Hiring