

NOTE: While Colorado school districts are not required by law to adopt a regulation on this subject, CASB believes this sample contains the content/language that reflects "best practices." However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Teacher Displacement

The following procedures shall be followed in effecting a Board action pursuant to a drop in enrollment; turnaround; phase-out; reduction in program; or reduction in building, including closure, consolidation or reconstitution that causes nonprobationary teachers to be displaced.

1. Notice to individual teacher

Within a reasonable time after receiving the Board's statement of action that includes personnel implications, the superintendent shall cause written notice of displacement to be provided to all displaced teachers.

The written notice shall include:

- a. a copy of the Board's statement adopted pursuant to the accompanying policy;
- b. a copy of the accompanying policy and this regulation; and
- c. a list of all vacant positions for which the displaced teacher is qualified, as well as a list of vacancies in any area identified by the school district to be an area of critical need.

Notice shall be served upon the teacher personally or by mail to the teacher's address as it appears in the school district's records. It shall be the teacher's responsibility to ensure that the district has the teacher's current address on file.

2. Applications and priority hiring pool

Displaced teachers shall be responsible for applying, consistent with the district's hiring procedures and practices, for any vacant position for which the teacher is qualified. At a minimum, the displaced teacher must apply to the principal of the school and provide a copy of the application to the district.

The district shall classify displaced teachers as priority candidates. These are teachers who were deemed satisfactory or effective in their performance evaluation preceding their displacement. Upon application, priority candidates shall receive the first opportunity to interview for available positions for which they are qualified within the district.

3. Mutual consent placement

A principal shall recommend appointment of a displaced teacher to an assignment in the principal's school if the review of the displaced teacher's performance evaluations and qualifications demonstrates that employment of the displaced teacher will support the instructional practice of the school. The principal's

recommendation shall also include input from at least two teachers employed at the school and chosen by the faculty of teachers at the school to represent them in the hiring process.

If the Board approves the principal's recommendation of a displaced teacher to a vacant position, the Board shall transfer the teacher into the assignment sought and the displacement/mutual consent provisions of law are satisfied. At that time, the Board shall reinstate the teacher's salary and benefits at the level they would have been if the teacher had not been placed on unpaid leave, if applicable.

Consistent with Board policy, nothing in this regulation shall be construed to require a principal to hire a displaced teacher.

4. Exclusive procedure

This procedure is the only procedure that shall apply to the designation and reassignment of a displaced teacher.

Approved: 08/09/12