

One of the issues being discussed in the media is layoffs and recall rights of teachers. The most recent law dealing with layoffs and recall rights in public schools is often referred to as "Senate Bill 7", or "SB7". This legislation changes the order of layoffs and recalls. Sometimes, school boards must engage in a reduction in force (RIF) which means that some teachers will be laid off. These teachers are not being laid off for anything they've done wrong. Rather, the school district is laying them off for reasons like cost containment, uncertain student enrollment, or elimination of certain programs. Before the implementation of SB7 teachers with the least amount of seniority were let go first, and teachers with the most seniority were let go last.

The law has changed, and now requires that teacher RIF's occur in an order that is closely tied to teacher evaluations. After teachers are evaluated, they receive one of four summative evaluation ratings: excellent (the highest rating), proficient (next to highest); needs improvement (third) and unsatisfactory (the lowest). If a school district decides to commence a reduction in force (RIF), teachers are first grouped according to their evaluations, and then any RIF must be in an order required by law, which requires the school to dismiss lower performing teachers (those with needs improvement and unsatisfactory summative evaluation ratings) before higher performing teachers. Similarly, the law provides protection for teachers who perform well (excellent summative evaluation ratings) on multiple evaluations.

While SB7 permits school districts (through various committees) to modify how some of the groupings work, state law is clear that there are to be four categories and that teachers are to be laid off from bottom category to top and recall of those teachers that were RIF'd occurs in reverse order. Presumably, the rationale for this law is that the state wants local Boards to retain those teachers who have the highest evaluation marks.

The reader may feel this is a good system or a bad system. We are not taking a position on the "goodness" of the new system. We simply see that the statute on the matter is clear and acknowledge that we do not have any legal authority to circumvent or change the state law.