



Certificated Contract Review – Know Your Rights **Information to keep in mind given the school closure** **proposal by SPS**

Art. XII A3 and A4 Conditions Necessary for Layoff

Defines the developments that may necessitate layoff, including funding concerns; requires SPS to inform SEA and meet to review all changes; identifies the criteria and procedures for layoff

Art. XII B Seniority

Seniority is the length of regular contract service an employee has with the SPS and includes length of service transferred from other Washington public schools.

Service from another Washington public school will be calculated on the same basis that is used to calculate service for those who have served in Seattle only. A year of service is earned by fulfilling the number of days specified in the contract. Seniority includes Washington school district service prior to resignation or leave and excludes substitute service.

For any employees who are contracted following the beginning of the school year seniority will be computed by dividing the number of days worked by the number of days specified in the Contract. For purposes of computing seniority, a day consists of working one-half (.5) day or more. For employees working less than one-half (.5) day, seniority will be computed on the basis of full-time equivalency.

Seniority credit for purposes of displacement, transfer and layoff and recall when transferring from classified unit to certificated unit: In January of the first year of certificated service, the employee will be credited with seniority equal to their years of accrued SPS classified seniority. Seniority credit for non-supervisory certificated employees hired after September 1, 1991 will include credit for certificated substitute service in the Washington State public school districts, subject to provisions named in the CBA.

Art. XIII C DISPLACEMENT AND LAYOFF GUIDELINES:

Displacement of staff from buildings, layoff, and recall shall be by seniority, within categories, subject matter areas, or departments. The FTE of an employee will not be a consideration. When a part-time employee is subject to recall and the same level of FTE is not available, the employee will first be offered a higher FTE, if available. If the employee does not accept the higher FTE and a lower FTE is available, the employee may select that position, but must accept an offered position by August 1st. If another position becomes available prior to August 31st, the partial FTE may then transfer to that position.



Employees are designated “displaced” if they are involuntarily removed from a building because the number of staff with continuing contracts in that category at the building exceeds the building’s requirements for the following year but the number of staff the SPS will require in that category the following year is sufficient to warrant retention of the employee in a “displaced pool” eligible to seek vacant positions under the terms of Article VIII, Staffing.

Employees are designated “laid off” if they are involuntarily removed from a building because the number of staff with continuing contracts in that category in the SPS exceeds the SPS’s requirements in that category for the following year and the employee does not have sufficient seniority to be retained in the “displacement pool”.

The SPS shall comply with Title VII of the Civil Rights Act of 1964, Title IX of the 1972 Amendment, and Section 504 of the Rehabilitation Act when implementing layoffs.