remains subject to legitimate job changes and reductions in force that occur during the leave, and such changes may result in the employee being denied reinstatement. The School District may, after notice, deny reinstatement to the highest paid ten percent (10%) of all employees ("key employees") where necessary to prevent substantial and grievous economic injury to the School District.

4000.04-AR Evaluations, Discipline and Discharge, Resignations

The purpose of evaluations and discipline will be to encourage growth in staff and to encourage and create an environment that allows the School District to implement the educational goals of the Board of Education. Evaluations will be compliant with Michigan law, where applicable.

4000.041-AR Evaluation of the Superintendent of Schools

The Board will evaluate the Superintendent annually. Superintendent evaluations will be compliant with Michigan law in a format determined by the Board of Education.

4000.042-AR Termination of Employment

Retirement and Resignation

An employee may retire or resign at any time in conformity with any applicable collective bargaining agreement or employment contract. Resignations or retirements must be submitted in writing to the Assistant Superintendent of Human Resources or the Superintendent. The Superintendent has the authority to accept the resignation on behalf of the Board of Education. The superintendent will provide written notification of the acceptance of the resignation to the resigning or retiring employee.

Involuntary Termination

Involuntary termination of an employee shall occur by recommendation of the Superintendent or Assistant Superintendent of Human Resources and approval by a majority of the Board of Education. When deemed appropriate at his/her discretion, the Superintendent may effectuate the termination of an employee pending approval by the Board of Education.

Termination of an employee whose employment is regulated by the Michigan Teachers' Tenure Act may only be terminated in accordance with that Act.

Due Process

Prior to termination, an employee shall be given oral or written notice of the charges against him/her and have an opportunity to respond. The employee will be provided written notice of termination stating the basis for the termination prior to the termination being effectuated by the Board of Education.

Voluntary Termination in Lieu of Involuntary Termination

Subject to the discretion of the Superintendent, the School District will accept an employee's resignation in lieu of involuntary termination. Acceptance of resignation in lieu of termination may only be done in compliance with federal and state law, including but not limited to Public Act 189 of 1996.

4000.043-AR Evaluation of Teachers and Administrators

The District will utilize the 5D+ and 4D growth models for the evaluation of educators.

4000.044-AR Layoff, Recall, and Personnel Decisions Relating to Teachers

This administrative guideline applies to those individuals whose employment is regulated by the Teachers' Tenure Act, MCL 38.71 et seq.

As used herein, the term "effectiveness" is based on the effectiveness label given a teacher in their most recent year end evaluation pursuant to the School District's evaluation system.

The term "qualification" as used in this administrative guideline includes, but is not limited to, an individual's: areas of certification, level of degree attained, type of degree attained (major, minor, or area(s) of focus), relevant previous experience, grade level of relevant experience, relevant classes or training, previous ratings, effectiveness and overall performance as a teacher, or past disciplinary or other employment concerns.

Process for Conducting Layoffs

1. Reductions shall take place first based on department and location.

2. The District shall layoff starting with the teacher with the lowest Effectiveness Rating. For the purpose of layoff and recall, teachers rated Effective or Highly Effective shall be treated as equal.

3. If two teachers are being considered and share the same effectiveness rating, then the Superintendent or his/her designee must compare the potential individuals using each of the elements of the standards from section 1248 of the Revised School Code as set out below. Only when all elements within one level are equal and the candidates cannot be differentiated should the Superintendent or his/her designee move to the next level. Those levels are as follows:

    a. Individual Performance. Individual performance consists of the following: