

TENURE CHANGES

Teachers appointed on or after July 1, 2015, must serve a four year probationary period. In order to receive tenure, these teachers must be rated as effective or highly effective in three of the four probationary years. A teacher who receives a rating of ineffective in his/her fourth year of probation cannot receive tenure.

Q: If a currently tenured teacher changes tenure areas, will that teacher have to serve a probationary period?

A: If the appointment to the new tenure area occurs on or after 7/1/15, the teacher will be subject to the new probation/tenure requirements.

Q: Can the probationary period be reduced for prior tenured service in either the same or another district?

A: The four year probationary period may be reduced to three years if the teacher was previously tenured provided that the teacher did not receive an APPR rating of ineffective in his/her last year of the prior tenured service.

Q: What will the probationary period be for an individual currently serving as a long-term substitute who receives a probationary appointment on or after 7/1/15?

A: The teacher will be subject to the new tenure rules but may be eligible for Jarema credit for service as a long-term substitute if such service was evaluated and not rated as ineffective.

Q: Can a teacher still receive tenure by estoppel?

A: If all required evaluation factors are present, a teacher may be able to claim tenure by estoppel if a district allows that teacher to continue to work beyond the expiration of the probationary period.

Q: Is contract language providing just cause rights to probationary teachers still enforceable?

A: Yes, provided the language of the contract does not conflict with the new evaluation requirements.

Q: If a teacher has not received his/her APPR score by the date on which the Board of Education considers his/her appointment to tenure, what happens?

A: The law provides that in such cases, a Board of Education may grant tenure contingent upon the teacher receiving a rating of something other than ineffective.

This document is based on the information available as of 4/9/2015. Updates will be provided as warranted. Local leaders should consult with their Labor Relations Specialist for answers to specific questions.