

PERSONNEL: Professional Staff

AWARDING AND MAINTAINING TENURE [Procedure to be Followed in the Case of Teachers Without Tenure]

I. PURPOSE

TO DEFINE TENURE AND OUTLINE GUIDELINES FOR BALTIMORE COUNTY PUBLIC SCHOOL SYSTEM (BCPS) TEACHERS TO ATTAIN TENURE AND MAINTAIN TENURE.

II. DEFINITION

AS USED IN THIS RULE, "TENURE" IS THE EMPLOYMENT STATUS OF A TEACHER WHO HAS COMPLETED 3 CONSECUTIVE YEARS OF SUCCESSFUL TEACHING IN BCPS, WHO HAS BEEN ISSUED A REGULAR CONTRACT, WHO HAS COMPLETED APPROPRIATE COURSES REQUIRED AT THE TIME OF INITIAL EMPLOYMENT, AND WHO IS RE-EMPLOYED WITH BCPS FOR THE FOLLOWING YEAR. IN MOST CASES, TENURE IS GRANTED 3 YEARS FOLLOWING THE DATE OF EMPLOYMENT. TENURE CONTINUES UNTIL TERMINATION ACCORDING TO THE TERMS OF THE CONTRACT.

III. GUIDELINES

A. PROBATIONARY PERIOD

1. THE PROBATIONARY PERIOD OF EMPLOYMENT OF BCPS EMPLOYEES WHO HOLD PROFESSIONAL CERTIFICATES SHALL BE THREE YEARS FROM THE DAY FOLLOWING THE DATE OF EMPLOYMENT AND SHALL CONSIST OF A 1-YEAR EMPLOYMENT CONTRACT THAT MAY BE RENEWED BY THE BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD).

(a) THE BOARD MAY TERMINATE A CONTRACT UNDER THIS SUBSECTION AT THE END OF THE FIRST, SECOND OR THIRD SCHOOL YEAR OR ON THE FIRST, SECOND, OR THIRD ANNIVERSARY DATE OF EMPLOYMENT IN REGARD TO EMPLOYEES HIRED AFTER JANUARY 1 FOLLOWING THE COMMENCEMENT OF A SCHOOL YEAR.

2. A TEACHER WHO HOLDS A MARYLAND PROFESSIONAL CERTIFICATE MUST TEACH SUCCESSFULLY AND MEET PERFORMANCE STANDARDS FOR 3 YEARS FOLLOWING THE DATE OF EMPLOYMENT IN ACCORDANCE WITH THE PROVISIONS OF HIS/HER REGULAR TEACHER'S CONTRACT BEFORE BEING GRANTED TENURE.
3. A CERTIFICATED EMPLOYEE TENURED IN ANOTHER MARYLAND SCHOOL SYSTEM WHO ACCEPTS EMPLOYMENT WITH BCPS SHALL RETAIN TENURE IN BCPS UNDER THE FOLLOWING CONDITIONS:
 - a. THE TEACHER'S CONTRACT IS RENEWED AFTER 1 YEAR PROBATIONARY EMPLOYMENT;
 - b. THE TEACHER'S FINAL EVALUATION RATING IN THE LOCAL SCHOOL SYSTEM FROM WHICH THE EMPLOYEE DEPARTED IS "SATISFACTORY" OR BETTER; AND
 - c. THERE HAS BEEN NO BREAK IN THE TEACHER'S SERVICE BETWEEN THE TWO LOCAL SCHOOL SYSTEMS FOR LONGER THAN 1 YEAR.
4. THE PROBATIONARY PERIOD FOR A TENURED CERTIFICATED TEACHER HIRED BY BCPS AS SPECIFIED IN SUBPARAGRAPH 3 ABOVE, MAY BE EXTENDED FOR A SECOND YEAR FROM THE DATE OF EMPLOYMENT IF:
 - a. THE TEACHER DOES NOT QUALIFY FOR TENURE AT THE END OF THE FIRST YEAR BASED ON ESTABLISHED PERFORMANCE EVALUATION CRITERIA; AND
 - b. THE EMPLOYEE DEMONSTRATES A STRONG POTENTIAL FOR IMPROVEMENT.
5. PROVISIONAL CONTRACT
 - a. A TEACHER WHO HOLDS A *PROVISIONAL CONTRACT FOR CONDITIONAL OR RESIDENT TEACHER CERTIFICATE HOLDERS*, WHO HAS MET PERFORMANCE STANDARDS, AND WHO HAS COMPLETED ALL CONTINGENCIES OUTLINED AT THE TIME OF INITIAL EMPLOYMENT WHILE HOLDING A *PROVISIONAL CONTRACT FOR CONDITIONAL OR RESIDENT TEACHER CERTIFICATE HOLDERS*, WILL BE GRANTED TENURE WITH THE ISSUANCE OF THE REGULAR CONTRACT AS LONG AS HE/SHE HAS COMPLETED A MINIMUM OF 3

CONSECUTIVE YEARS OF SATISFACTORY TEACHING PERFORMANCE FOR BCPS.

- b. A TEACHER WHO HOLDS A *PROVISIONAL CONTRACT FOR CONDITIONAL OR RESIDENT CERTIFICATE HOLDERS* SHALL BE GIVEN CREDIT TOWARD TENURE FOR YEARS SERVED AS A PROVISIONAL EMPLOYEE AND SHALL BE GRANTED TENURE, IF HE/SHE HAS 3 OR MORE YEARS OF SUCCESSFUL TEACHING EXPERIENCE ON SUCH PROVISIONAL OR CONDITIONAL CERTIFICATION UPON THE ISSUANCE OF THE *REGULAR CONTRACT*.

B. LOSS OF TENURE

1. THE TEACHER MUST MAINTAIN HIS/HER MARYLAND STANDARD OR ADVANCED PROFESSIONAL CERTIFICATE IN ORDER TO RETAIN A *REGULAR CONTRACT* AND CONTINUE TO HOLD TENURE.
2. FAILURE TO RENEW A MARYLAND STANDARD OR ADVANCED PROFESSIONAL CERTIFICATE WILL RESULT IN THE ISSUANCE OF A *PROVISIONAL CONTRACT FOR CONDITIONAL OR RESIDENT TEACHER CERTIFICATE HOLDERS* AND THE TERMINATION OF TENURE.
3. WHEN A TENURED TEACHER LOSES HIS/HER CERTIFICATION, THEN HE/SHE SHALL BE CONSIDERED A NON-TENURED TEACHER. AT SUCH TIME, IT SHALL BE WITHIN THE FULL DISCRETION OF THE APPROPRIATE ADMINISTRATOR TO GRANT A NEW CONTRACT. IF A NEW CONTRACT IS GRANTED, A NEW TENURE DATE WILL BE ESTABLISHED AS A RESULT OF THE MOST RECENT CONTRACT.

[The non-renewal of a probationary teacher's contract and the evaluation of probationary teachers will be in accordance with procedures established by the State Board of Education.]

Legal References: *Annotated Code of Maryland*, Education Article §6-102, *Classes of teachers' certificates*
ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §6-202, *SUSPENSION OR DISMISSAL OF TEACHERS, PRINCIPALS AND OTHER PROFESSIONAL PERSONNEL*
COMAR 13A.07.02.01, *Contracts*
COMAR 13A.07.04, *Evaluation of Professionally Certificated Personnel*

RELATED POLICIES: BOARD OF EDUCATION POLICY 4004, *EVALUATIONS*

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