



ADMINISTRATIVE PROCEDURE

EMPLOYMENT OF CERTIFICATED PERSONNEL – NON TENURE TO TENURE

4118

Procedure No.

December 17, 2019

Date

- I. **PURPOSE:** To provide procedures governing the employment and tenure of certificated personnel.
- II. **POLICY:** It is the desire of the Board of Education of Prince George’s County to employ and develop highly effective teachers to increase student achievement and to meet the Code of Maryland Regulations (COMAR) certification and tenure requirements regarding the employment of teachers. (Board Policy 4118).
- III. **BACKGROUND:** COMAR requires that the probationary period of employment for a certificated employee shall be three years from the date of employment. During the three year probationary period employees will be on a year to year contract with the Board of Education.
- IV. **DEFINITIONS:**
- A. **Conditional Certificate:** Issued only to an applicant employed in a local school system or publicly funded nonpublic school who does not meet all professional certification requirements, or to a previously tenured personnel whose professional certificate lapses as the result of their failure to complete certification requirements. A conditional certificate is valid for two years.
 - B. **Probationary / Non-Tenured Personnel:** A certificated employee who has not met the requirement of three years of successful service from the date of employment to meet the tenure requirements.
 - C. **Tenured Teachers:** A certificated teacher who has successfully completed three years and one day of service.
- V. **PROCEDURES:**
- A. Effective or Highly Effective Evaluation Ratings
 - 1. If a teacher receives an overall evaluation rating of “Effective or “Highly Effective” at the end of the first year of teaching, the teacher may return for a second year of teaching based upon a recommendation by the Chief Executive Officer.
 - 2. If a teacher receives an overall evaluation rating of “Effective or “Highly Effective” at the end of the second year of teaching, the teacher may return for a third year of teaching based upon a recommendation



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by the Chief Executive Officer.

3. If a teacher receives an overall evaluation rating of “Effective” or “Highly Effective” at the end of the third year of teaching, the teacher will be eligible for a recommendation by the Chief Executive Officer for tenure pending approval by the Board of Education. The teacher will be tenured after three (3) consecutive years of service.

B. Reinstatement of Tenure After a Break of Service of Less Than One Year

If a tenured, certificated employee is hired by PGCPS and there is no break in the employee’s service from the prior school system in which the employee worked as a certificated teacher for longer than a year, the employee will retain their tenure under the following conditions:

1. The employee’s contract is renewed after one year of probationary employment with PGCPS;
2. The employee’s final evaluation rating from the local school system in which the employee departed is “Effective” or “Highly Effective.”
3. A certificated employee’s probationary period may be extended for a second year from the date of employment if:
 - a. The employee does not qualify for tenure at the end of the first year because the employee did not receive an overall evaluation rating of “Effective” or “Highly Effective”; and
 - b. The employee demonstrated a strong potential for improvement.

C. Ineffective Evaluation Ratings

If a teacher receives an overall evaluation rating of “Ineffective” at the end of the first, second, or third year of teaching, the Board of Education, upon the recommendation of the Chief Executive Officer, will determine whether the teacher’s contract will be renewed.



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D. Termination of Contract for Probationary Employees

1. The Board of Education may non-renew a regular contract with a certificated employee holding a professional certificate at the end of the first, second, or third school year.
2. In the case of employees employed before January 1 of a given school year, written notice of termination must be given no later than May 1 of any school year during the employee's probationary period.

In the case of employees employed on or after January 1, notice must be given no later than June 15 of any school year during the employee's probationary period, or no later than sixty (60) days prior to the second or third anniversary date of the employee, at the discretion of the Board of Education.

- VI. **MONITORING AND COMPLIANCE:** At least once a year, the Office of Employee Performance will audit Human Resources Data Quality files on tenure status.
- VII. **LEGAL REFERENCES:** COMAR 13A.07.02.01, Terms of Employment.
- VIII. **RELATED PROCEDURES:** None.
- IX. **MAINTENANCE AND UPDATE OF THESE PROCEDURES:** These procedures originate with the Chief Human Resources Officer and will be updated as appropriate.
- X. **CANCELLATION AND SUPERSEDURES:** This Administrative Procedure cancels and supersedes Administrative Procedure 4118 dated October 24, 2019.
- XI. **EFFECTIVE DATE:** December 17, 2019