

PERSONNEL

Licensed Personnel: Contracts

These regulations will govern the issuance of continuing contracts.

A. Definition

As used in this ~~R~~regulation, the following terms will have the following meanings:

1. "Teacher" will mean a person: a) who is regularly employed for more than ninety (90) consecutive work-days, such as a classroom teacher, visiting teacher, ~~guidance-school~~ counselor or ~~librarian~~ library media specialist; and b) who holds a valid teaching license.
2. "Principal" will mean a person: a) who is regularly employed full-time as a principal or assistant principal; and b) who holds a valid administrative license. The executive director or director of a school/center is considered a principal.
3. "~~Coordinator or Specialist~~Supervisor" will mean a person: a) who holds an instructional supervisory provision position as specified in the regulations of the Virginia State Board of Education and a) ~~who is regularly employed full-time in a coordinator capacity, and~~ b) who is required to hold a license by the Virginia Board of Education in order to be employed in that position.

B. Eligibility for Continuing Contract

1. Only persons regularly employed full-time by the School Board as Teachers, Principals, Assistant Principals, or ~~Coordinators/Specialists- Supervisors~~ will be eligible for continuing contract status. In the event an employee with continuing contract status is reduced from full-time to part-time status, whether voluntarily or involuntarily, that person shall not retain continuing contract status, but shall be deemed a probationary employee.
2. A probationary term of service of ~~at least~~ three consecutive years in the same school division is required prior to the issuance of a continuing contract. A teacher must return and begin the fourth (4th) year to attain continuing contract status. Based on a recommendation from the principal, the Superintendent or designee may require a probationary teacher to serve up to two additional one-year probationary years before obtaining a continuing contract. The School Board authorizes the Superintendent or designee to extend a probationary period up to five years total for an individual employee.

3. Once a continuing contract status has been attained in another public school division in the Commonwealth of Virginia, another probationary period of one (1) year shall be served in Virginia Beach Public Schools ~~another probationary period need not be served in any other school division unless such probationary period, not to exceed two years is made part of the contract of employment.~~ Based on a recommendation from the principal, the Superintendent or designee may extend the probationary period for an additional year before granting a continuing contract to an ~~an individual~~ teacher. The School Board authorizes the probationary period up to two years total for such employee.
4. A person employed as a Principal, Assistant Principal, or ~~Coordinator/Specialist Supervisor~~, including a person who has previously achieved continuing contract status as a Teacher, will serve three years in such position in the same school division before acquiring continuing contract status as Principal, Assistant Principal, or ~~Coordinator/Specialist Supervisor~~.
5. Continuing contract status acquired by a Principal, Assistant Principal, or Supervisor shall not be construed as prohibiting the School Board from reassigning the administrative or supervisory personnel to a teaching position if notice of reassignment is given by the School Board by June 15 of any year. If a licensed administrative employee who has successfully completed probation is reassigned to a teaching position, such reassignment shall be to continuing contract status.
6. For the purpose of calculating the years of service required to attain continuing contract status, at least 160 contractual teaching days (actual days worked) during the school year shall be deemed the equivalent of one year in the first year of service by a ~~In calculating probationary terms of service for~~ Teachers, Principals, Assistant Principals, or ~~and Coordinators/Specialists Supervisor, employment for~~ Ffor the remaining probationary period, at least 180 or more teaching days (actual days worked) during one school year will constitute a single year of service. ~~In the first year of service by a teacher, 160 or more teaching days (actual days worked) will be deemed the equivalent of one year. A teacher who does not meet the day-count required to establish a year of service shall not progress to a continuing contract status and shall remain a probationary employee the following year. Failure to meet the day-count requirement two or more years during probation may be the basis for non-renewal.~~
7. If a Teacher, Principal, Assistant Principal, or ~~Coordinator/Specialist Specialist~~ separates from service during their/his/her probationary period and does not return to service in the same public school division by the beginning of the next year following the year of separation, such person will be required to begin a new probationary period.

~~7. If a teacher who has attained continuing contract status in a school division in Virginia separates from service and returns to service in a public school division in Virginia by the beginning of the third year, such Teacher will be required to serve a probationary period not to exceed two years.~~

C. Teaching Outside of a Virginia Public School System Not Counted in Probationary Term

Teaching service outside of a Virginia public school system will not be counted as meeting in whole or in part the required probationary term.

D. Continuing Contracts Restricted

Continuing contracts may be executed on behalf of persons holding a valid postgraduate, collegiate professional, or a vocational license.

E. Contractual Period

A ten-month contractual period for teachers is defined to include a maximum of 200 days as follows:

1. A minimum of 180 teaching days (or as required by law);
2. Ten (10) days for such activities as teaching, planning for the opening of school, evaluation, completing records and reports incident to the closing of each semester or school year, committee assignments, and conferences as are defined by the local School Board; and
3. Ten (10) days for a continuation of activities under items 1 and 2, and/or such other activities as may be assigned or approved in the discretion of the local School Board s. Items 1 and 2 specify a minimum number of days for specific purposes. Item 3 refers to 10 days subject to optional use as determined by the local School Board.

All other continuing contract personnel will work the days identified in the School Division's published work calendar.

F. Nonrenewal of Teacher Contracts

A teacher on probationary status who is recommended for nonrenewal will be entitled to the procedures set forth in Virginia Code § 22.1-305, as amended.

Written notice of non-renewal of the contract must be given by the School Board on or before June 15. Exceptions to this requirement are provided in Virginia Code § 22.1-305, as amended.

~~Prior to non-renewal of a contract for a teacher for the ensuing school year, the following procedures will have been achieved.~~

- ~~1. The Principal must have kept a dated, written record of evidence of the teacher's difficulties. Complaints concerning the teacher must be shared by the Principal with the teacher within a reasonable period of time.~~
- ~~2. The Principal or designee must have systematically observed the teacher's program and at least one such observation must have been in the classroom, and the Principal or designee must have presented the teacher in writing:
 - ~~a. The strengths observed;~~
 - ~~b. The weaknesses observed; and~~
 - ~~c. Suggestions for improvement~~~~
- ~~3. At the discretion of the Principal or designee, a coordinator/specialist from the Department of Teaching and Learning may have been designated to observe the teacher's program, with at least one observation in the classroom. Following such observation(s), the teacher will be provided a copy of the written report given to the Principal or designee including:
 - ~~a. The strengths observed;~~
 - ~~b. The weaknesses observed; and~~
 - ~~c. Suggestions for improvement.~~~~
- ~~4. Nonrenewal Conference
A teacher on probationary status who is recommended for nonrenewal will be entitled to conference procedures as set forth in Virginia Code § 22.1-305.~~

Legal Reference

Code of Virginia § 22.1-294, as amended. Probationary terms of service for principals, assistant principals and supervisors: evaluation; reassigning principal, assistant principal or supervisor to teaching position.

Code of Virginia § 22.1-299, as amended. License required of teachers; provisional license; exceptions.

Code of Virginia § 22.1-302, as amended. Written contracts required: execution of contracts; qualifications of temporarily employed teachers; rules and requirements/regulations.

Code of Virginia § 22.1-303, as amended. Probation terms of service for teachers.

Code of Virginia § 22.1-304, as amended. Reemployment of teacher who has not achieved continuing contract status; effect of continuing contract; resignation of teacher; reduction in number of teachers.

Code of Virginia § 22.1-305, as amended. Nonrenewal of contract of probationary teacher.

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APPROVED AS TO
LEGAL SUFFICIENCY

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