

SUBJECT: PROBATION AND TENURE

The Board will comply with all applicable laws and regulations regarding probation and tenure. Any updates to applicable laws and regulations, whether temporary or permanent, will supersede any conflicting language in this policy. As a result, different probationary and tenure rules may apply for teachers or building principals in certain circumstances.

Probation

Generally, teachers, all other members of the teaching staff, principals, administrators, supervisors, and all other members of the supervising staff will be appointed by the Board upon the recommendation of the Superintendent for a probationary period of four years.

Full-time certified staff members will be appointed to a probationary period of four (4) years. The probationary period shall not exceed three (3) years for a teacher previously appointed to tenure in this or another school district or BOCES within the state, provided the teacher was not dismissed from the former district or BOCES, and met the required annual professional performance review (APPR) rating in his/her final year of service there. Additionally, up to two (2) years of service as a regular substitute teacher may be applied towards probationary service. This is sometimes referred to as Jarema Credit.

The probationary period will not exceed three years for principals, administrators, supervisors, or other members of the supervising staff appointed on or after June 1, 2020 who were previously appointed to tenure as an administrator within an authorized administrative tenure area in any district or BOCES within the state provided that the individual was not dismissed from that district or BOCES as a result of charges brought pursuant to Education Law Section 3020-a or 3020-b.

During the probationary period, a staff member will be given assistance in adjusting to the new position, but the essential qualifications for acceptable performance will be assumed because the staff member attained the required certification or license.

A staff member's appointment may be discontinued at any time during their probationary period upon the recommendation of the Superintendent and by majority vote of the Board.

Any staff member not recommended for tenure appointment will be notified in writing by the Superintendent no later than 60 days before their probationary period expires.

Tenure

Certificated non-teaching staff members successfully completing a probationary period in the Churchville-Chili Central School District may be recommended (by the Superintendent of Schools) to the Board of Education for tenure appointment.

(Continued)

SUBJECT: PROBATION AND TENURE (cont'd)

Tenure (cont'd)

Certificated teachers and principals may be recommended for tenure where their service has been found competent, efficient, and satisfactory, and who have received the APPR rating of effective or highly effective in at least three of the preceding four years. An APPR rating of ineffective in the final probationary year will prevent appointment on tenure but the Board may extend that teacher or principal's probationary time by an additional year. When the initial probationary period expires, a teacher or principal will remain on probationary status (subject to termination at any time in accordance with Education Law) until the end of the school year in which he/she receives APPR ratings of effective or highly effective. The Board may also grant tenure contingent upon a teacher or principal's receipt of a minimum APPR rating in the final probationary year.

At the expiration of the probationary period or within six months prior, the Superintendent will present a written report to the Board recommending for appointment to tenure those who have been found competent, efficient, and satisfactory and, in the case of teachers and building principals, those who have received APPR ratings of effective or highly effective in at least three of the preceding four years, exclusive of any breaks in service.

If a teacher or building principal receives an APPR rating of ineffective in their final probationary year after receiving APPR ratings of effective or highly effective in the preceding probationary years, they will not be eligible for tenure. However, the Board may extend that teacher's or building principal's probationary time by an additional year. The teacher or building principal may be eligible for immediate tenure if they successfully appeal the ineffective rating.

The Board may then—by a majority vote—appoint to tenure any or all of the persons recommended by the Superintendent.

A teacher or building principal will remain on probationary status until the end of the school year in which they have received APPR ratings of effective or highly effective for at least three of the four preceding school years, exclusive of any breaks in service. During this time, the Board may grant tenure contingent upon a teacher's or building principal's receipt of a minimum APPR rating in the final year of their probationary period. If the contingency is not met after all appeals are exhausted, the grant of tenure will be void and unenforceable and the teacher's or building principal's probationary period may be extended for an additional year in accordance with law.

Resolutions Making Appointments

Each Board resolution making a probationary appointment or an appointment on tenure will specify:

- a) The name of the appointee;
- b) The tenure area or areas in which the professional will devote a substantial portion of their time;

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SUBJECT: PROBATION AND TENURE (cont'd)

Resolutions Making Appointments (Cont'd.)

- c) The date probationary service or service on tenure commences in each area;
- d) The expiration date of the appointment, if made on a probationary basis. For appointments of classroom teachers and building principals, the resolution must state that:
 - 1. To receive tenure, the individual must receive composite or overall APPR ratings of effective or highly effective in at least three of the four preceding years; and
 - 2. If the teacher or building principal receives an ineffective composite or overall APPR rating in their final year of probation, they will not be eligible for tenure at that time; and
- e) The certification status of the appointee in reference to the position to which the individual is appointed.

Education Law §§ 2509, 2573, 3012, 3012-d, 3014, and 3031
8 NYCRR § 30-1.3

NOTE: Refer also to Policy #6217 -- Professional Staff: Separation

Adopted: 7/10/2001

Revised: Renumbered from 6213 on 5/28/2019; 6/27/2023