

HIRING OF INSTRUCTIONAL STAFF/PORTABILITY OF NON PROBATIONARY STATUS

Colorado law provides that a teacher who has achieved non probationary status in one school district may be awarded non probationary status by a different school district if the teacher submits student academic growth data and performance evaluations for the prior two years, can show two consecutive performance evaluations with effectiveness ratings in good standing, and is subsequently hired by the District in accordance with this policy.

For the purposes of this policy, the following definitions shall apply:

1. "Portability" means a teacher's request that his or her non probationary status obtained in another Colorado school district be recognized by the district.
2. "Teacher" means a person who holds a teacher's license issued pursuant to the Colorado Educator Licensing Act of 1991, C.R.S. 22-60.5-101 et seq. and who is employed to instruct, direct or supervise the instructional program. "Teacher" does not include those persons holding authorizations or administrative positions within a school district.
3. "Non Probationary status" means the teacher has completed three consecutive years of demonstrated effectiveness in a Colorado school district and has been re-employed for the succeeding school year or has otherwise attained non probationary status in accordance with the Teacher Employment, Compensation, and Dismissal Act of 1990, C.R.S. 22-63-101 et seq.
4. "Effectiveness rating" means a rating of highly effective or effective on the teacher's written evaluation conducted pursuant to the applicable Colorado school district's licensed personnel performance evaluation system.
5. "Prior two consecutive years" means the current school year and the school year immediately preceding the current school year.

The Board's hiring decision is guided by many factors including, but not limited to, the applicant's experience, credentials, employment background, and the terms upon which the teacher is seeking employment including but not limited to whether the teacher is seeking non probationary status. The decision as to whether a teacher wishes to be considered for employment as a non probationary teacher rests solely with the teacher. Therefore, it is the responsibility of a teacher seeking non probationary status to comply with the requirements of this policy.

The Board recognizes that there are occasions, such as when a teacher takes maternity, military, or another prolonged leave of absence, that the position to be filled is only temporarily vacant. Therefore, the Board specifically reserves the right to post appropriate positions as

temporary teaching positions to which non probationary status is inapplicable regardless of the applicant's previous employment history.

Determination of Non Probationary Status

If a teacher who has achieved non probationary status in another school district seeks to be employed by this district as a non probationary teacher, he or she shall (1) clearly indicate on the application that he or she is seeking non probationary employment; (2) forward to the District the documents that the teacher believes demonstrate that the teacher currently holds non probationary status with another school district, (3) forward the documents that the teacher believes demonstrate that the teacher, if hired, would be entitled to non probationary status; as well as a (4) written explanation as to how the documents demonstrate that the teacher would be entitled to non probationary status if hired. If an applicant indicates on the application that he or she wishes to be considered for non probationary employment, but fails to include the documents required by (2), (3) and (4) above, the application shall be deemed incomplete, and will not be considered.

If the supporting documentation demonstrates that the teacher is entitled to non probationary status, and the teacher is offered the position, the teacher will receive a non probationary contract.

If a non probationary teacher/applicant does not indicate on the application that the teacher is seeking employment as a non probationary teacher, the applicant will be eligible only for an offer of employment pursuant to a probationary teacher contract regardless of whether the applicant has appended, or the District has solicited, evaluations from the applicant's prior school district(s). Any effort to amend the probationary contract immediately terminates the offer of employment and the applicant will not be considered further.

ADOPTED: March 28, 2023

LEGAL REFS:

C.R.S. §§ 22-9-101 *et seq.* (2014) (Licensed Personnel Performance Evaluation Act)

C.R.S. §§ 22-63-101 *et seq.* (2014) (Teacher Employment Compensation and Dismissal Act)