

PROFESSIONAL STAFF PROBATION AND TENURE

The superintendent shall recommend employment for the professional staff, maintain personnel records, administer leaves, evaluate performance, keep the Board apprised of the performance of district employees and take action when necessary to discipline or terminate employees. If a question exists as to when a teacher will earn tenure or whether an employee is tenured, the superintendent or designee is authorized to contact the district's attorney for advice.

Definitions

The following definitions shall apply in the administration of district policies and are intended to merely summarize the legal definitions under Missouri law. If for any reason the following definitions contradict Missouri law, the legal definitions will control in the application of district policy.

Teacher -- Any employee of a school district regularly required to be certified under laws relating to the certification of teachers, except superintendents, assistant superintendents and any other persons regularly performing supervisory functions as their primary duty, but including certified teachers who teach at the pre-kindergarten level within a pre-kindergarten program in which no fees are charged to parents or guardians.

Permanent or Tenured Teacher -- A teacher who meets the definition of a "permanent" teacher in the Missouri Teacher Tenure Act, including:

- ▶ Teachers who have been employed as a teacher in the district for five (5) successive years and who continue to be employed by the school district.
- ▶ Teachers who have been employed in any other school system as a teacher for two (2) or more years, who have been employed as a teacher in the district for four (4) successive years and who continue to be employed by the school district.
- ▶ Teachers who were tenured in the district, resigned or were permanently separated from employment by the district, and were re-employed by the district. Once re-employed, the first school year is probationary. However, if the employee is employed for the succeeding year, the employment constitutes a permanent (tenured) contract.
- ▶ Any permanent or tenured teacher who is promoted with his or her consent to a supervisory position, including a principal or assistant principal, or who is first employed by a district as a principal or assistant principal, shall not have permanent status in such position, but shall retain tenure in the position previously held within the district, or, after serving two (2) years as principal or assistant principal, shall have tenure as a permanent or tenured teacher of that system.
- ▶ Any teacher employed under a part-time contract by the district shall accrue credit toward permanent or tenured status as described above on a prorated basis.

Probationary Teacher -- Any teacher as herein defined who is not classified as a "permanent" or "tenured" teacher by law.

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Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Adopted: 3/23/06 Re-adopted 6-28-12

Revised:

Legal Refs: §§ 168.101 - .130, RSMo.

Dent-Phelps R-III School District, Salem, Missouri

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