

**TENURE**

Kindergarten (including Pre-Kindergarten programs) together with the first six grades shall constitute the elementary tenure area.

In those schools in which instruction in the core academic subjects has not been departmentalized at the seventh and/or eighth grade levels, such grades shall constitute the middle grades tenure area.

In those grades at or above seventh grade level in which instruction in the core academic subjects is departmentalized, the core academic subjects shall be grouped for tenure purposes into the academic tenure areas of English, Social Studies, Mathematics, Science, and Foreign Languages.

Tenure areas in the South Colonie Central School District are:

1. Academic: English
2. Academic: Foreign Languages
3. Academic: Mathematics
4. Academic: Science
5. Academic: Social Studies
6. Administrator
7. Art
8. Business Education – General
9. Education of Blind and Visually Handicapped Children
10. Education of Deaf Children
11. Education of Speech and Hearing Handicapped Children
12. Elementary (Pre-K through Grade 6)
13. English as a New Language (ENL)
14. Health
15. Home Economics – General
16. Industrial Arts – General
17. Music
18. Physical Education and Recreation
19. Remedial Reading
20. Special Education – General: Education of children with handicapping conditions (education of emotionally disturbed children, mentally retarded children, and children with specifically defined learning disabilities)
21. Speech – Remedial
22. School Counseling and Guidance
23. School Library and Media Specialist
24. School Nurse/Teacher
25. School Psychologist
26. School Social Worker
27. Teaching Assistant

The Part 30 tenure areas above established by the Rules of the Board of Regents for teachers hired and appointed to probationary teaching positions on or after August 1, 1975 include elementary, middle grades, academic and special subject areas. This will not affect teachers on tenure conferred prior to August 1, 1975.

Board of Education resolutions regarding probationary appointments or appointments to tenure will set forth:

1. The name of the appointee.
2. The tenure area or areas in which the professional educator will devote a substantial portion of his/her time.
3. The certification status of the appointee in reference to the position to which such individual is appointed.
4. The date of commencement and ending date of probationary service.
5. For probationary appointments made on or after July 1, 2015, the appointing resolution must reflect that in order to be granted tenure a classroom teacher must have received overall annual professional performance review ratings of either Effective or Highly Effective at least three of the four preceding years. The resolution must also reflect that if the classroom teacher receives an Ineffective overall rating in the final year of the probationary period, he/she will not be eligible for tenure at that time.

No teacher, whether on tenure or in probationary status, will be assigned to devote a substantial portion of time (40% or more) in a tenure area other than that area in which probationary service is being rendered or tenure acquired, without the teacher's written consent.

If a teacher is to serve a substantial portion (40% or more) of the probationary period in more than one tenure area, such fact will be so noted in the appointment resolution.

If it is proposed that a teacher having tenure or in a probationary status serve a substantial portion of time (40% or more) in a tenure area to which appointment has not been made, the Board shall, prior to such assignment, confer a probationary appointment and shall confer or deny tenure separately in the manner prescribed by statute in each designated tenure area.

Conferral or denial of tenure at the conclusion of the probationary period or termination of services of a professional educator during the probationary period shall affect only the tenure area under consideration.

When a teacher acquires tenure, such tenure shall be retained while the teacher remains continuously employed by the District as a full-time member of the professional staff, notwithstanding subsequent appointments to tenure or to probation in other tenure areas.

Reference: Education Law §§ 3012-d; 3020-a; 3020-b

Adopted: November 18, 1969

Revised: February 13, 2018; August 9, 1975; May 6, 1975