

Policy Code: 7410 Teacher Contracts -- Career Status for Certain Employees

The board recognizes the importance of establishing a clear contractual relationship with teachers employed by the school system. All teacher employment contracts entered into by the board will meet the requirements of state law and State Board of Education policy.

For the purposes of this policy, the term “teacher” is defined as a person who meets the requirements of [G.S. 115C-325.1\(6\)](#). An individual who is employed under a part-time teacher contract (less than 100%) or employed under a temporary teacher contract does not meet this definition of a teacher; however, the Board’s performance expectations established in this policy apply to such individuals.

A. Teacher Performance Expectations

Teachers are responsible for facilitating student learning in a safe and orderly environment in which students become college and career ready. Teachers must be familiar with the current statewide instructional standards for their teaching assignment and able to teach the curriculum effectively. The board expects teachers to meet all performance standards established by the board, the superintendent or designee, state law, and State Board of Education policy, and to pursue professional development as provided in policy 1610/7800, Professional and Staff Development. Employment contracts for teaching will be granted or renewed only for individuals of proven ability who strive for excellence.

B. Career Status for Certain Employees

Career status is a tool for retaining excellent teachers. Although the North Carolina General Assembly acted to forbid school districts from awarding career status to teachers, that act has been held unconstitutional with regard to teachers who had received career status before July 26, 2013. The Board will, therefore, grant career status to employees who meet the standards described below and who received career status in North Carolina before July 26, 2013. Such grants of career status are valid only to the degree authorized by [G.S. 115C-325](#) and consistent with the June 5, 2014 order of Judge Robert Hobgood in *Hart et al. v. State of North Carolina et al.*, Wake County Superior Court file No. 13 CVS 16771. These grants of career status are subject to future changes in law, including any subsequent court action regarding Judge Hobgood’s order.

For a teacher who has already obtained career status before July 26, 2013 in any North Carolina public school system and who either changes school systems or returns to teaching after leaving the profession, the board will vote on whether to grant career status after the teacher’s first year of employment. A year for computing time, for those who have previously earned tenure, and who are being considered for career status, shall be not less than 120 workdays performed as a contract teacher in a full-time permanent position in a school year.

At least 30 days prior to the board meeting in which career status will be considered, the superintendent will submit to the board a list of the names of any teachers who are eligible for career status. The superintendent also will make the list available to teachers and the public. Any teacher who believes he or she should be included on the list but whose name does not appear on the list should notify the superintendent immediately, but must notify the superintendent no later than six days before the board meeting.

If a majority of the board votes against granting career status, the teacher will not teach beyond the current school term. All teachers eligible for career status have the right to a hearing before the board if the superintendent recommends that the board not grant the teacher career status for any reason other than a reduction in force. By May 15, the superintendent shall provide

written notice to the teacher of the intent to recommend not granting career status and of the teacher's rights. Within ten days of receipt of the superintendent's recommendation, teachers have the right to: (1) request and receive written notice of the reasons for the superintendent's recommendation and the information that the superintendent may share with the board to support the recommendation; and (2) to request a hearing if the superintendent recommends not to grant career status for any reason other than a reduction in force. The failure to file a timely request within the ten days shall result in a waiver of the right to this information and any right to a hearing. If a teacher who is entitled to a hearing files a timely request, the superintendent shall provide the requested information and arrange for a hearing. At the hearing the teacher shall be permitted to submit supplemental information to the superintendent and board prior to the board making a decision or holding a hearing.

The Board shall give the teacher written notice of that decision by June 15 or such later date as provided in [G.S. 115C-325](#) (m)(7). If a majority of the board votes to grant career status to the teacher, and it has notified the teacher of the decision, it may not rescind that action but must proceed under the provisions for the demotion or dismissal of a teacher if it decides to terminate the teacher's employment.

A career teacher shall not be subjected to the requirement of annual appointment nor shall he be dismissed, demoted, or employed on a part-time basis without his consent except as provided in [G.S. 115C-325](#) (4) (e) (1).

STANDARD FOR CAREER STATUS

Career status with this system should be reserved for individuals of proven ability who strive for excellence. It is the intent of the board to grant career status only to those teachers who, based upon the superintendent's recommendation, exhibit a pattern of teaching behavior that is rated at least as "proficient" and who also exhibit behaviors that meet the criteria for the "accomplished" rating at the end of the probationary period. The superintendent must be able to substantiate any recommendation for career status with evaluation data, as described in board policy 7810, Evaluation of Licensed Employees. Career status will not be granted unless the board is satisfied that the probationary employee has met the standards established by the board that include effectiveness as a teacher, striving for excellence, and whose students show appropriate academic growth. The board will grant career status, based on the superintendent's recommendation, only to those teachers who exhibit a pattern of teaching behaviors that are rated at least as "proficient" and who also exhibit behaviors that meet the criteria for the "accomplished" rating at the end of the probationary period. Career status may be denied on any legally permissible basis following statutorily prescribed procedures.

An employee who has obtained career status with the school district is expected to continue to strive for excellence, meet all performance standards established by the board, and pursue professional development as provided in board policy 1610/7800, Professional and Staff Development. Any employee who is unable or unwilling to meet reasonable standards of the board may be subject to demotion or dismissal, as provided in board policy 7930.

C. Superintendent's Recommendation Regarding Non-Career Status Teachers

The board will employ teachers upon the recommendation of the superintendent. The superintendent is expected to be able to substantiate with supporting information any recommendation for a new or renewed contract for an applicant or current teacher. The superintendent's recommendation for a new or renewed contract must include the length of the

term of the contract, which must be consistent with state law and board requirements as described in Section D, below. The board will follow a recommendation of the superintendent regarding the length of the contract that is consistent with law and this policy unless specific circumstances justify offering the teacher a contract of a different term. In considering the superintendent's recommendation, the board may review any information that was in the teacher's personnel file at the time of the superintendent's recommendation or was added to the teacher's file, with the proper notice to the teacher, prior to the board's decision.

D. Determination of Contract Length for Non-Career Status Teachers

This section applies when the Superintendent has decided to recommend that the Board offer a teacher a new or renewed contract. For information regarding a determination by the Superintendent not to recommend that the Board offer a teacher a renewed contract, see the Board's policy on teacher contract non-renewals.

For purposes of determining a teacher's years of employment by the board in this section, a year is at least 120 workdays performed as a teacher in a full-time permanent position. If a teacher in a full-time permanent position did not work for at least 120 workdays as a teacher in a year for any reason, including because the teacher was on approved or legally entitled leave, that year will not be deemed to constitute a year of employment for the teacher unless required by law. Furthermore, a year in which a teacher in a full-time permanent position did not work for at least 120 workdays as a teacher because the teacher was on approved or legally entitled leave will not be considered a break in the continuity of employment for the teacher. A suspension will not constitute approved or legally entitled leave for purposes of this policy.

A new or renewed contract will be for a term of one school year for teachers who have been employed by the Board as a teacher for less than three consecutive years. For current teachers who have been employed by the Board as a teacher for three or more consecutive years and who are in good standing, a renewed contract will be for a term of four school years. A teacher will be considered in good standing for purposes of this policy if: (1) the teacher received a rating of at least "proficient" on all standards of the teacher evaluation instrument on the two most recent annual evaluations; (2) the teacher is not currently on a monitored or directed growth plan, mandatory improvement plan, or corrective action plan, and has not been on any such plan at any time during the current or previous school year; (3) the teacher has not received any of the following during the current or previous school year: a demotion, a suspension without pay, or a written reprimand, warning, or other disciplinary action that is documented in the teacher's official personnel file; and (4) there is no other relevant performance or conduct information in the personnel file that would support a decision to disqualify the teacher from a multi-year contract. A contract for a teacher who is not in good standing will be for a term of one year only, if the teacher's contract is renewed.

E. Dismissal and Nonrenewal

This policy is not intended to limit the Superintendent's discretion to recommend dismissal, demotion, a shorter contract length, or nonrenewal of any teacher for any basis allowed by law, including but not limited to reduction in force due to school system reorganization, decreased enrollment, reduced funding, or other budgetary issues.

Legal References: [G.S. 115C-36](#), [-47\(18\)](#), [-325.1](#), [-325.3 through -325.13](#); [S.L. 2013-360](#); State Board of Education Policy [BENF-009](#)

Cross References: Professional and Staff Development (policy 1610/7800), Hearings Before the Board (policy 2500), Recruitment and Selection of Personnel (policy 7100), Evaluation of Licensed

Employees (policy 7810), Professional Employees: Demotion and Dismissal (policy 7930), Non-Career Status Teachers: Nonrenewal (policy 7950)

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Chapel Hill-Carrboro Schools
