



Title: **Hiring of Instructional Staff/Portability of Non-Probationary Status**

Code: GCFA

Section: Section G: Personnel Policies

In accordance with state law, and the District's authority to employ personnel, this policy is adopted to address non-probationary status requests submitted for consideration by teaching candidates for hire.

Pursuant to Colorado Revised Statutes 22-63-203.5, a teaching candidate who has obtained non-probationary status in another Colorado school district is not automatically granted non-probationary status when they are hired by the district. Rather, a teacher may be granted portability by the District only if the teacher meets the requirements of this policy, as determined by the District.

A teacher who does not request portability in accordance with this policy shall be considered a probationary teacher by the District.

Definitions

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

1. "Portability" means a teaching candidate's request that their non-probationary status obtained in another Colorado school district be recognized by the District.
2. "Teaching candidate" 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 has applied for employment with the District to instruct, direct or supervise the instruction program.
3. "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.
4. "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.*

5. “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.
6. “Prior two consecutive years” means the two consecutive years prior to the contract year of hire to the new district.

Non-Probationary Teaching Candidate’s Request for Portability

During the District’s hiring process and prior to an offer of employment from the District, a non-probationary teaching candidate may request portability. The non-probationary teaching candidate shall provide the following documentation when requested by the District to determine eligibility for portability.

1. Performance evaluations for the prior two consecutive years that show the teaching candidate received effectiveness ratings; and
2. Evidence of the teaching candidate’s student academic growth data for the prior two consecutive years.

Determination of Non-Probationary Status

A teaching candidate may request portability during the District’s application process. The District will request the required documentation after an offer of employment has been extended to the candidate. The District shall determine, in its sole discretion, whether the documentation shows evidence of teacher effectiveness and student academic growth. The District shall make its determination of teacher effectiveness and student academic growth based upon the District’s licensed personnel performance evaluation system and the District’s measures of student academic growth.

If the District determines the documentation shows the required teacher effectiveness and student academic growth, the District shall grant non-probationary status to the teacher.

If the District determines that the teacher misrepresented or omitted any of the documentation required by this policy and/or misrepresented their non-probationary status or any other matter concerning the teacher’s employment history, the District may take action in accordance with applicable law, including but not be limited to revocation of the teacher’s non-probationary status and other appropriate disciplinary action.

All employment decisions remain with the sole and continuing discretion of the Board of Education, subject only to the conditions and limitations prescribed by Colorado law. Any dismissal or other employment action shall be in accordance with applicable state law, Board and Administrative policy, and the teacher’s employment contract with the District.

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July 1, 2024

Legal Refs:

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

C.R.S. 22-60.5-101 *et seq.* (Colorado Educator Licensing Act of 1991)

C.R.S. 22-63-101 *et seq.* (Teacher Employment Compensation, and Dismissal Act of 1990)

C.R.S. 22-63-203.5 (non-probationary portability)

1 CCR 301-87 (State Board of Education rules for administration of a system to evaluate the effectiveness of licensed personnel)

Cross Refs:

GCE/GCF, Professional Staff Recruiting/Hiring

GCN, Evaluation of Licensed Personnel

GCQF, Discipline, Suspension, and Dismissal of Professional Staff

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