

BALTIMORE COUNTY PUBLIC SCHOOLS

FF

DATE: March 26, 2002
TO: **BOARD OF EDUCATION**
FROM: Dr. J. Hairston, Superintendent
SUBJECT: **Revision of Rule 4118.1**
ORIGINATOR: J. Robert Haines, Deputy Superintendent for Business Services
RESOURCE PERSON: Randall Grimsley, Executive Director of Human Resources

Recommendation

That the Board receive as an information item an update to Superintendent's Rule 4118.1, Permanent: Tenure and Non-Tenure.

JRH/dz

Attachment I - 4118.1

4118.1

PERSONNEL: Professional

Permanent: Tenure and Non-Tenure

Procedure for Penalizing or Terminating Teachers on Tenure Whose Work is not Satisfactory

1. Special attention will be given the teacher by the principal and other appropriate staff members. Conferences will be held with the teacher. The principal or other appropriate staff members will give the teacher a summary of the conference, listing the weaknesses or shortcomings [which] **that** made his/her work less than satisfactory.
2. One or more follow-up conferences will be held by the principal and/or other appropriate staff members to evaluate with the teacher his/her progress in relation to the shortcomings indicated in paragraph 1 above. A written report of these conferences shall be prepared for the teacher and the appropriate [area superintendent] **EXECUTIVE DIRECTOR OF SCHOOLS** as in paragraph 1 above.
3. If the teacher's work continues to be less than satisfactory, the appropriate [area superintendent] **EXECUTIVE DIRECTOR OF SCHOOLS** will advise the teacher in writing before the end of March that unless his/her work improves, a recommendation will be made to the Superintendent of Schools that for the following school year his/her certificate be rated second-class, which will result in the freezing of the teacher's salary step. This letter will identify the teacher's major shortcomings and will also encourage the teacher to consider his/her problems carefully with his/her principal and /or supervisor.
4. If the teacher's work has not improved to the point where it is fully satisfactory and promises to continue to be so, the [area superintendent] **EXECUTIVE DIRECTOR OF SCHOOLS** will confer with the Superintendent. After a review of the file, if the Superintendent approves, the [area superintendent] **EXECUTIVE DIRECTOR OF SCHOOLS** will prepare a letter for the signature of the Superintendent of Schools advising the teacher that his/her certificate is being rated second-class and his/her salary step will be frozen for the ensuing school year. This will be mailed prior to June 1.
5. During the year in which the teacher's certificate is rated second-class, a number of visitations and conferences will be made by the principal and [supervisor] **OTHER APPROPRIATE PERSONNEL**, and if the teacher's work is not fully satisfactory, he/she will receive a letter, during the month of February from the [area superintendent] **EXECUTIVE DIRECTOR OF SCHOOLS** advising him/her that unless his/her work materially improves, a recommendation to

terminate his/her services at the end of the school year will be made to the Superintendent of Schools.

NOTE: If a teacher has had his/her certificate rated second-class within the past few years improved sufficiently to be restored to first-class, and then again is doing less than satisfactory work, steps 3 and 4 may be eliminated for such a person, and step 5 applied immediately.

6. If the teacher's work continues to be less than satisfactory, the [area superintendent] **EXECUTIVE DIRECTOR OF SCHOOLS** will confer with the teacher. At this point, depending upon the individual circumstances, the possibilities of retirement or resignation will be **DISCUSSED** [considered] with the teacher, and if neither of these is selected voluntarily by the teacher, he/she will be advised that a recommendation to terminate his/her employment will be made to the Superintendent of Schools.
7. A summary of the case will be prepared **BY THE APPROPRIATE EXECUTIVE DIRECTOR OF SCHOOLS** for the Superintendent of Schools with a recommendation that the teacher be dismissed.
8. If the Superintendent of Schools agrees with the conclusions reached in the previous steps, he/she will recommend the teacher's dismissal by the Board of Education. Prior to May 1, the Superintendent of Schools shall notify the teacher, in writing, of his/her recommendation, and the teacher shall be given an opportunity for a hearing before the Board of Education upon not less than ten (10) days' notice
9. The Superintendent of Schools shall notify the teacher, in writing, of the action of the Board of Education.

While every attempt will be made to follow the time schedule outlined above, this may not be possible in a case where major deterioration of a teacher's work develops late in the school year.

This [regulation] **RULE** relates only to teaching performance and does not in any manner limit the power of the Superintendent of Schools to recommend the dismissal of a teacher for immorality, willful neglect of duty, insubordination or misconduct in office, including knowingly failing to report suspected child abuse, in accordance with the law.

Legal Reference: Annotated Code of [Pub. Gen. Laws of] Maryland, [Article 77
#62 Nomination, assignment, transfer and recommendations as to
principals and teachers, etc.
#114 Suspension or dismissal of teachers, principals, supervisors,
assistant superintendents, or other professional assistants]
EDUCATION ARTICLE, §6-202

Rule
approved: 5/11/72
revised: 3/16/81
revised: 3/25/93
REVISED:

Superintendent of Schools