

53A-8a-201 Career employee status for provisional employees -- Career status in the event of change of position -- Continuation of probationary status when position changes -- Temporary status for extra duty assignments -- Employees not eligible for career status.

- (1)
 - (a) A provisional employee must work for a school district on at least a half-time basis for three consecutive years to obtain career employee status.
 - (b) A school district may extend the provisional status of an employee up to an additional two consecutive years in accordance with a written policy adopted by the district's school board that specifies the circumstances under which an employee's provisional status may be extended.
- (2) Policies of an employing school district shall determine the status of a career employee in the event of the following:
 - (a) the employee accepts a position which is substantially different from the position in which career status was achieved; or
 - (b) the employee accepts employment in another school district.
- (3) If an employee who is under an order of probation or remediation in one assignment in a school district is transferred or given a new assignment in the district, the order shall stand until its provisions are satisfied.
- (4) An employee who is given extra duty assignments in addition to a primary assignment, such as a teacher who also serves as a coach or activity advisor, is a temporary employee in those extra duty assignments and may not acquire career status beyond the primary assignment.
- (5) A person is an at-will employee and is not eligible for career employee status if the person:
 - (a) is a teacher who holds a competency-based license pursuant to Section 53A-6-104.5 and does not hold a level 1, 2, or 3 license as defined in Section 53A-6-103; or
 - (b) holds an administrative/supervisory letter of authorization pursuant to Section 53A-6-110.

Renumbered and Amended by Chapter 425, 2012 General Session