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1 **SENATE BILL NO. 117**

2 Offered January 14, 2026

3 Prefiled January 5, 2026

4 *A BILL to amend and reenact § 22.1-304 of the Code of Virginia, relating to public school teachers; terms of*  
5 *employment; reemployment of teacher who has not received continuing contract status; written notice*  
6 *required.*

7 Patron—Pekarsky

8 Referred to Committee on Education and Health

9 **Be it enacted by the General Assembly of Virginia:**10 **1. That § 22.1-304 of the Code of Virginia is amended and reenacted as follows:**11 **§ 22.1-304. Reemployment of teacher who has not achieved continuing contract status; effect of**  
12 **continuing contract; resignation of teacher; reduction in number of teachers.**13 A. If a teacher who has not achieved continuing contract status receives notice of reemployment, he must  
14 accept or reject in writing within 15 days of receipt of such notice. Except as provided in § 22.1-305 and  
15 except in the case of a reduction in force as provided in subsection F, written notice of nonrenewal of the  
16 probationary contract must be given by the school board on or before June 15 of each year. If no such notice  
17 is given a teacher by June 15, the teacher shall be entitled to a contract for the ensuing year in accordance  
18 with local salary stipulations including increments.19 B. Teachers employed after completing the probationary period shall be entitled to continuing contracts  
20 during good behavior and competent service. Written notice of noncontinuation of the contract by either party  
21 the teacher must be given by June 15 of each year; otherwise the contract continues in effect for the ensuing  
22 year in conformity with local salary stipulations including increments.23 C. A teacher may resign after June 15 of any school year with the approval of the local school board or,  
24 upon authorization by the school board, with the approval of the division superintendent. The teacher shall  
25 request release from contract at least two weeks in advance of intended date of resignation. Such request shall  
26 be in writing and shall set forth the cause of resignation.27 If the division superintendent has been authorized to approve resignations, a teacher may, within one  
28 week, withdraw a request to resign. Upon the expiration of the one-week period, the division superintendent  
29 shall notify the school board of his decision to accept or reject the resignation. The school board, within two  
30 weeks, may reverse the decision of the division superintendent.31 In the event that the board or the division superintendent declines to grant the request for release on the  
32 grounds of insufficient or unjustifiable cause, and the teacher breaches such contract, disciplinary action,  
33 which may include written reprimand, suspension, or revocation of the teacher's license, may be taken  
34 pursuant to regulations prescribed by the Board of Education.35 D. As soon after June 15 as the school budget shall have been approved by the appropriating body, the  
36 school board shall furnish each teacher a statement confirming continuation of employment, setting forth  
37 assignment and salary.38 Nothing in the continuing contract shall be construed to authorize the school board to contract for any  
39 financial obligation beyond the period for which funds have been made available with which to meet such  
40 obligation.41 E. A school board may reduce the number of teachers, whether or not such teachers have reached  
42 continuing contract status, because of decrease in enrollment or abolition of particular subjects.43 F. Within two weeks of the approval of the school budget by the appropriating body, but no later than July  
44 1, school boards shall notify all teachers who may be subject to a reduction in force due to a decrease in the  
45 school board's budget as approved by the appropriating body.46 G. If a school board implements a reduction in workforce pursuant to this section, such reduction shall not  
47 be made solely on the basis of seniority but must include consideration of, among other things, the  
48 performance evaluations of the teachers potentially affected by the reduction in workforce.

INTRODUCED

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