

3142 NONRENEWAL OF NONTENURED TEACHING STAFF MEMBER

The Board of Education recognizes its obligation to employ only those professional staff members best trained and equipped to meet the educational needs of the pupils of this district. The Board shall discharge that obligation by retaining in service only those nontenured teaching staff members who meet those standards. The Board shall renew the employment contract of a teaching staff member only upon the recommendation of the Superintendent and by a recorded roll call majority vote of the full membership of the Board. The Board shall not withhold its approval for arbitrary and capricious reasons.

When the nontenured teaching staff member's performance does not meet the standards of the district, the Superintendent shall recommend not to renew the teaching staff member's contract. A nontenured teaching staff member who is not recommended for renewal by the Superintendent shall be deemed nonrenewed. Prior to notifying the staff member of the nonrenewal, the Superintendent will notify the Board of the recommendation not to renew the staff member's contract and the reasons for the recommendation. The Superintendent may notify the Board in a written notice or in executive session at a full Board Meeting. In the event the Board is notified in executive session, the Superintendent will comply with the requirements of the Open Public Meetings Act and provide reasonable notice to the staff member his/her employment will be discussed in executive session in order for the staff member to exercise his/her statutory right to request a public discussion.

The Superintendent shall notify each teaching staff member to whom reemployment will not be offered of such nonrenewal in writing on or before May 15. Any teaching staff member who received written notice a contract will not be offered may within fifteen days of notification request in writing a statement of the reasons for nonrenewal. The Superintendent will provide a written statement of reasons within thirty days after the receipt of any such request.

The nontenured teaching staff member shall have the right to an informal appearance before the Board to permit the staff member an opportunity to convince the members of the Board to offer reemployment. The staff member must request the appearance before the Board within ten calendar days of receipt of the statement of reasons.

The Board is not required to offer reemployment or vote on reemployment after an informal hearing with a nontenured teaching staff member who was not recommended for reemployment by the Superintendent. The Board may, with a majority vote of its full membership in public session and without the recommendation of the Superintendent, offer the teaching staff member reemployment after an informal hearing.

N.J.S.A. 18A:27-3.1 et seq., 18A:27-4.1; 18A:27-10 et seq.
N.J.A.C. 6A:32-4.5; 6A:32-4.6

Adopted: 27 April 2009