

4146 NONRENEWAL OF NONTENURED SUPPORT STAFF MEMBER

The Board will renew the employment contract of a nontenured support 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 will not withhold its approval for arbitrary and capricious reasons. A nontenured support staff member who is not recommended for renewal by the Superintendent is deemed nonrenewed.

Prior to notifying the support staff member of the nonrenewal, the Superintendent will notify the Board of the recommendation not to renew the support 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 that his/her employment will be discussed in executive session in order for the support staff member to exercise his/her statutory right to request a public discussion.

The Superintendent or designee shall notify each support staff member to whom reemployment will not be offered in writing on or before May 15. The support staff member whose contract is not renewed has the right to a written statement for the reasons for nonrenewal, provided the request for the statement of reasons is made within fifteen days of the Superintendent's written notification of nonrenewal to the support staff member. The statement of reasons shall be provided to the staff member within thirty days after the receipt of the request. The nontenured support 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, provided that a request for such an appearance is received within ten days after the support staff member receives the statement of reasons provided by the Superintendent or designee.

The Board is not required to offer reemployment or vote on reemployment after an informal hearing with a support 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 support staff member reemployment after the employee has had the opportunity to meet informally with the Board.

This policy does not apply to the contract renewal of the Treasurer of School Moneys, Board Auditor, Board Attorney or Board Secretary, except a Board Secretary who performs business administration functions.

N.J.S.A. 18A:27-4.1

Adopted: 27 April 2009