

3142 NONRENEWAL OF A NONTENURED TEACHING STAFF MEMBER

The Board of Education recognizes its obligation to employ only those staff members best trained, equipped, and most able to meet the educational needs of the students 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 will 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. A nontenured teaching staff member who is not recommended for renewal by the Superintendent is deemed nonrenewed.

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. Prior to notifying the nontenured teaching staff member of the nonrenewal, the Superintendent will notify the Board of the recommendation not to renew the nontenured teaching staff member's contract and the reasons for the recommendation.

The Superintendent shall notify each nontenured 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 receiving such 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.

Whenever the nontenured teaching staff member has requested in writing and received a written statement of reasons for non-reemployment, 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 the nontenured teaching staff member's receipt of the statement of reasons. The informal appearance before the Board shall be held in accordance with the provisions of N.J.A.C. 6A:10-8.1.

The Board is not required to offer reemployment or vote on reemployment after an informal appearance 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 nontenured teaching staff member reemployment after the informal appearance before the Board. The nontenured teaching staff member will be notified of the Board's final determination within three days following the informal appearance before the Board.

N.J.S.A. 18A:27-3.1; 18A:27-3.2; 18A:27-4.1; 18A:27-10 et seq.

N.J.A.C. 6A:10-8.1

~~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. When it appears that a teaching staff member's performance does not meet the standards of the district, the Superintendent shall consider recommending to the Board that any such member not be reemployed. Contracts for nontenured staff can be renewed only upon the Superintendent's recommendation and a majority vote of the full Board. The Board may not withhold its approval for arbitrary and capricious reasons.~~

~~The Board shall meet privately before May 15 of each year to consider the Superintendent's recommendation(s) for the renewal and nonrenewal of contracts for nontenured employees. Each employee whose reemployment will be discussed at such a private meeting will be so notified in order that he or she may request discussion at a public meeting.~~

~~The Board shall notify each teaching staff member to whom reemployment will not be offered of such nonrenewal in writing no later than May 15. Any teaching staff member whose contract has not been renewed by the Board may apply in writing to the Board within fifteen days of notification for the reasons for nonrenewal. The Board will provide a written statement of reasons within thirty days of the receipt of any such request. The Board will also provide any nonrenewed teaching staff member with an opportunity to meet informally with the Board, provided that a request for such an appearance is received within ten days after the teaching staff member receives the statement of reasons provided by the Board.~~

~~N.J.S.A. 18A:27-3.1 et seq., 27-10 et seq.
P.L. 1995, Ch.125
N.J.A.C. 6:3-4.1 et seq.
N.J.S.A. 18A:27-4.1; 18A:27-10~~

Cross References: 4140, 4146

~~Previously Adopted: April 2, 2001~~

~~First Reading: December 16, 2013March 12, 2001
Second Reading: January 27, 2014March 19, 2001
Recent Adopted: April 2, 2001~~