

NONRENEWAL-- CERTIFIED STAFF

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 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 shall renew the employment contract of a nontenured teaching staff member by a recorded roll call majority vote of the full Board only upon the recommendation of the Superintendent. A nontenured teaching staff member who is not recommended for renewal by the Superintendent shall be deemed non-renewed. Written notice of non-renewal of employment will be sent to the employee by the Board Secretary. This notice will be given by the date specified by law and the negotiated agreement.

A written request from a nontenured teaching staff member for a written statement of reasons for non-reemployment received in accordance with statute within 15 calendar days of notification will be honored by the Board of Education. The Board will provide a written statement within 30 days of the receipt of the request, if the request has been timely.

An informal appearance before the Board may be requested in writing within 10 calendar days after the receipt of the statement of reasons and shall be scheduled within 30 days of receipt of the Board's statement of reasons.

It is the Board of Education's prerogative to determine the date, starting time and length of an informal appearance, the purpose of which shall be to permit the staff member a final opportunity to convince the Board of Education to offer reemployment. Written notice of date and time will be provided to the staff member at least five days prior to the informal appearance.

The nontenured teaching staff member may be represented by counsel or one individual of his/her choosing and may present witnesses on his/her behalf. Those witnesses are not subject to cross-examination by the Board of Education and will be excused from the hearing after making their statements.

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.

Within three days following the informal appearance, the Board of Education or its designee will notify the teaching staff member, in writing, of the Board's final decision.

Legal References: N.J.S.A. 18A:27-3.1

N.J.S.A. 18A:27-3.2

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

Non-tenured teaching staff; observation and evaluation; conference; purpose
Teaching staff member; notice of termination; statement of reasons; request; written answer
Appointment, transfer, removal, or renewal of officers and employees; exceptions

NONRENEWAL-- CERTIFIED STAFF (continued)

Legal References: (continued)

N.J.S.A. 18A:27-10 et seq. Nontenure teaching staff member; offer of employment for next succeeding year or notice of termination before May 15

N.J.A.C. 6A:32-4.1 et seq. Employment of teaching staff

See particularly:

N.J.A.C. 6A:32-4.1(e),-4.1(f)

N.J.A.C. 6A:32-4.6 Procedure for appearance of nontenured teaching staff members before a District Board of Education upon receipt of notice of non-reemployment

Donaldson v. North Wildwood Bd. of Ed., 65 N.J. 236 (1974)

Hicks v. Pemberton Township Board of Education, 1975 S.L.D. 332

Velasquez v. Brielle Board of Education, 97 N.J.A.R. 2d (EDU) (August 6), aff'g on different grounds Comm'r 96 N.J.A.R. 2d (EDU) (April 4)

Manual for the Evaluation of Local School Districts (September 2002)

Cross References: *4115 Supervision
 *4116 Evaluation
 *4117.4 Reduction in force/abolishing a position

*Indicates policy is included in the Critical Policy Reference Manual.

Key Words

Nonrenewal, Nontenured Teachers

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