

3142 NONRENEWAL OF NONTENURED TEACHING STAFF MEMBER

The Board of Trustees recognizes its obligation to employ only those 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 will renew the employment contract of a teaching staff member only upon the recommendation of the Head of School 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 Head of School is deemed nonrenewed.

When the nontenured teaching staff member's performance does not meet the standards of the district, the Head of School shall recommend not to renew the teaching staff member's contract. Prior to notifying the nontenured teaching staff member of the nonrenewal, the Head of School will notify the Board of the recommendation not to renew the nontenured teaching staff member's contract and the reasons for the recommendation. The Head of School 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 Head of School will comply with the requirements of the Open Public Meetings Act and provide reasonable notice to the nontenured teaching staff member their employment will be discussed in executive session in order for the nontenured teaching staff member to exercise their statutory right to request a public discussion.

The Head of School 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 Head of School 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 Head of School. The Board may, with a majority vote of its full membership in public session and without the recommendation of the Head of School, 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

Adopted: 10 June 2014

