

3142 NONRENEWAL OF NONTENURED TEACHING STAFF MEMBER

The Board of Education 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 non-tenured teaching staff members who meet those standards. The Board will renew the employment contract of a non-tenured 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 non-tenured teaching staff member who is not recommended for renewal by the Superintendent is deemed non-renewed.

When the non-tenured teaching staff member's performance does not meet the standards of the school district, the Superintendent shall recommend not to renew the teaching staff member's contract. Prior to notifying the non-tenured teaching staff member of the nonrenewal, the Superintendent will notify the Board of the recommendation not to renew the non-tenured teaching 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 non-tenured teaching staff member their employment will be discussed in executive session in order for the non-tenured teaching staff member to exercise their statutory right to request a public discussion.

On or before May 15 of each year, each non-tenured teaching staff member continuously employed by a Board of Education since the preceding September 30 shall receive a written notice from the Superintendent that such employment will not be offered if the Superintendent recommends the non-tenured teaching staff member not be renewed. Any non-tenured teaching staff member receiving notice that a teaching contract for the succeeding school year will not be offered may, within fifteen calendar days thereafter, request in writing a statement of the reasons for such non-employment which shall be given to the non-tenured staff member in writing within thirty calendar days after the receipt of such request.

Whenever the non-tenured teaching staff member has requested in writing and received a written statement of reasons for non-reemployment pursuant to N.J.S.A. 18A:27-3.2, the non-tenured teaching staff member may request in writing informal appearance before the Board. The written request shall be submitted to the Board within ten calendar days of the non-tenured teaching staff member's receipt of the Board's statement of reasons. The informal appearance shall be scheduled within thirty calendar days from the non-tenured teaching staff member's receipt of the Board's statement of reasons.

TEACHING STAFF MEMBERS

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Nonrenewal of Non-tenured Teaching Staff Member

The Board is not required to offer reemployment or vote on reemployment after an informal appearance with a non-tenured 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 non-tenured teaching staff member reemployment after the informal appearance before the Board. Within three working days following the informal appearance, the Board shall notify the affected non-tenured teaching staff member, in writing, of its final determination.

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:10-9.1

Adopted: 28 November 2012

Revised: 28 January 2014

25 August 2021