

NON-CAREER STATUS TEACHERS: NONRENEWAL

Policy Code:

7950

The board may refuse to renew the contract of any non-career status teacher for any cause it deems sufficient, so long as the cause is not arbitrary, capricious, discriminatory, prohibited by state or federal law, or for personal or political reasons.

If the superintendent decides to recommend nonrenewal of a non-career status teacher, the superintendent shall provide written notice of the recommendation no later than June 1. The teacher may, within 10 days of receipt of the superintendent's recommendation, request written notice of the reasons for the superintendent's recommendation for nonrenewal and the information that the superintendent may share with the board to support the recommendation for nonrenewal. If a teacher files a timely request, the superintendent shall provide the requested information, and the teacher will be permitted to submit supplemental information to the superintendent and board prior to the board's decision.

A non-career status teacher has the right to petition the board for a hearing no later than 10 days after receiving notice of the superintendent's recommendation for nonrenewal. If the teacher requests a hearing, a hearing panel of the board will confer and determine whether such a hearing will be granted. The hearing panel or school board attorney will notify the teacher of the decision whether to grant a hearing.

If a hearing is granted, the human resources committee of the board will serve as the hearing panel. The hearing will be informal, and formal rules of evidence will not apply. The teacher and the superintendent may be represented by legal counsel and may present witnesses. Unless otherwise modified by the board or hearing panel, each side will be allowed thirty minutes to make a presentation. The superintendent shall make his or her presentation first, followed by the teacher. Either party may reserve time for rebuttal. The hearing panel may limit or exclude duplicative or irrelevant evidence. A record of the hearing will be made and maintained by the board. The hearing panel will uphold the superintendent's recommendation if it finds that the reason(s) for the recommendation is not arbitrary, capricious, discriminatory, personal, political, or otherwise prohibited by law.

In considering a recommendation of the superintendent to offer a teacher a new, renewed, or extended contract, the board may review any information that was in the teacher's personnel file at the time of the superintendent's recommendation. If the board determines that it needs additional information to reach a decision, it will notify the teacher of the board's concerns and of the additional information that it is considering and provide an opportunity for the teacher to respond to the additional information.

The board will notify the non-career status teacher whose contract will not be renewed for the next school year of its decision by June 15. If, however, a teacher is granted a hearing, the board will provide the nonrenewal notification within 10 days of the hearing or such later date upon the written consent of the superintendent and teacher.

Non-career status teachers may be demoted or dismissed during the terms of their contracts only in accordance with policy 7930, Professional Employees: Demotion and Dismissal.

Legal References: G.S. 115C-45(c), -325.1 *et seq.*

Cross References: Hearings Before the Board (policy 2500), Teacher Contracts (policy 7410), Reduction in Force: Teachers and School Administrators (policy 7920), Professional Employees: Demotion and Dismissal (policy 7930)

Adopted: November 7, 2016