

# TIMELY TOPICS

## CONTRACT QUICK REFERENCE SHEET

### SUMMARY CONTRACT RENEWAL AND NON-RENEWAL

#### I. PROBATIONARY – END OF TERM

- Renew: Automatically renewed if not given notice in the time frame required under state law.
- Termination: Notice must be given by the 10th calendar day before the last day of instruction required by the contract.
- Standard of review – None. No specific reason for termination is required. Whatever decision the board makes is final and may not be appealed. A probationary teacher can be non-renewed for any reason—good, bad, or no reason at all at the end of the year.
- Do not get a board hearing.

#### II. TERM CONTRACTS – END OF TERM

- Renew: Automatically renewed if not given notice in the time frame required under state law.
- Nonrenewal: Notice must be given by the 10th calendar day before the last day of instruction required by the contract.
- School Board Policy must contain a statement of all of the reasons why a teacher's contract might not be renewed.
- The Board must consider the most recent evaluations before making a decision not to renew a teacher's contract if the evaluations are relevant to the reason for the board's actions.
- Teacher has 15 days to request a hearing.
- Board gets to decide whether the board or independent hearing examiner hears case.

#### III. CONTINUING CONTRACT

- There is no non-renewal because there is no end to the term of the contract.
- Termination: The contract continues until the teacher quits the district or the district gives notice of intent to terminate the teacher.
- Teacher is able to request an independent hearing examiner.

#### IV. UNDER BOTH TERM AND CONTINUING CONTRACTS...

- Procedural compliance with non-renewal requirements is absolutely required, i.e. must not send letter of nonrenewal before nonrenewal.
- Teacher may appeal to the Commissioner of Education.
- Can use evidence from prior years – no years beyond the terms of the contract. For continuing contracts, this can go back to the time the contract was issued. For a one-year contract, evidence from that year can be presented.

**Very, Very Important**: By law, the teacher on a continuing contract has only 10 days to appeal. A teacher on a term contract has 15 days to ask for a hearing after receiving notice from the Board that his/her contract will not be renewed. **Best advice: As soon as you receive information that your contract is in danger, call your association. All days are calendar days. Weekends and holidays count.**