

Recruitment, Selection, Retention, and Non-renewal of Licensed Employees

DRAFT

Board Policy: P - 24
Adopted: November 22, 1997
Revised: July 13, 2009
Revised: Date Pending

I. General Policy Statement

It shall ~~is~~ be the policy of the **Haywood County Board of Education (Board)** that ~~to maintain~~ a continuous system of recruitment and selection of personnel ~~be maintained~~ in order to assure competent candidates for vacancies ~~as needed~~. The Board of Education acknowledges that the most important aspect of attaining excellence in education is the quality of the teaching **and administrative** staff ~~and the administrative staff~~. With that in mind, the Board hereby adopts a **this** policy and states its determination to strive for such excellence, and ~~further declares its intent~~ to employ, reemploy, and grant career status only to those teachers and administrators who possess, have exhibited and continue to strive for excellence in their preparation for, performance of and contribution toward the educational process.

II. Regulations

A. Performance Appraisal

The Board shall consider subjective and objective appraisals of preparation for, performance of and contribution toward the educational process and the needs of the school system shall be considered ~~by the Board~~ in making decisions to employ, re-employ and grant career/tenure status to teachers and administrators.

B. Standard of Performance

“Proficient” performance shall be considered the minimum acceptable standard of performance for teachers and administrators in this school system; however, “Proficient” performance shall not constitute any assurance of rights to or consideration for employment, re-employment or career/tenure status.

C. Career or Tenured Status

~~It is the policy of~~ The Board of Education ~~to~~ **shall** award career/tenured status to teachers who have exhibited excellence in their teaching through the maintenance of consistently high standards of performance. The awarding of career ~~tenured~~ status is not an entitlement based upon consecutive years of service, but a status which must be earned through the exhibition of high performance during a teacher’s probationary period. The Board seeks performance in excess of “Proficient” and seeks to employ and maintain professionals who are performing at the highest levels of competence. **Career status determinations and employee’s rights to notices and hearings regarding career status shall be made in accordance with N.C.G.S. 115C-325(c).**

D. Basis for Non-renewal

~~The Board of Education,~~ upon the Superintendent’s recommendation, may refuse **to renew** the contract of any administrator or of any probationary or other non-~~tenured~~ **career** teacher, or to reemploy any teacher who is not under contract, for any cause it deems sufficient; provided, however, that the cause may not be arbitrary, capricious, discriminatory, ~~or~~ for personal or political reasons, or because the ~~teacher~~ **employee** engaged in activities that are protected by the United States ~~Constitution~~ or the North Carolina Constitutions.

E. Notice of Non-renewal - Probationary Teachers

~~If the Board has decided that it will not renew the contract of a probationary teacher for the following school year, the Superintendent shall notify the teacher of this fact by~~ **MAY** ~~June 15.~~

- If the superintendent decides to recommend the non-renewal of a probationary teacher, the Superintendent shall notify the teacher in writing by May 15 of each**

year. This notice will include the teacher's right, within ten (10) days of the receipt of the superintendent's recommendation, to request 1) written notice of the reasons supporting the superintendent's recommendation; 2) the information the superintendent intends to share with the Board to support the recommendation for non-renewal; and 3) a hearing before the Board, if the teacher is eligible for career status, unless the reason for non-renewal is a reduction-in-force as defined by Policy P-7.

2. The failure to file a timely request within 10 days shall result in a waiver of the right to this information and any right to a hearing. If a teacher files a timely request, the superintendent shall provide the requested information, and the teacher shall be permitted to submit supplemental information to the superintendent and Board prior to the Board's decision.
3. A probationary teacher whose contract is not eligible for career status has the right to petition the Board for a hearing regarding the superintendent's recommendation for non-renewal. The Board will notify the probationary teacher of its decision whether to grant a hearing. The employee's petition must be in writing, delivered to the superintendent within ten (10) days of the superintendent's written recommendation for non-renewal. The petition must state: 1) the basis for the appeal; and 2) the relevant facts underlying the claim. Hearings may be granted by the Board only when the employee presents evidence of a violation of state law or unlawful discrimination.
4. The Board shall notify the teacher whose contract will not be renewed for the next school year of its decision by June 15. If, however, a teacher submitted a request for information or a hearing, the Board shall provide the non-renewal notification by July 1 or a later date upon the written consent of the superintendent and teacher.

F. **Notice of Non-renewal - Contract Administrators**

See Board Policy P – 22 Administrator Contracts.

Legal References: N.C. G. S. 115C-287.1; -325

Cross References: Policy P-22 Administrator Contracts

Policy P-25 Licensed Employees Dismissal, Demotion, Non-Renewal