

**Regulation**

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NONRENEWAL

In accordance with the policy of the board to deal fairly with each teaching staff member for whom nonrenewal may be a consideration, the following procedure shall be followed:

A. Evaluation of a Nontenured Teacher

1. Each teaching staff member shall be evaluated in accordance with the regulations of the state and the policies (and agreements) of the board (see board policy and procedure 4116 Evaluation of Teaching Staff Members);
2. In each instance where the employee is rated partially effective or ineffective, a corrective action plan shall be developed, implemented and supervised;
3. In the event that the employee does not achieve the improvements identified by the corrective action plan and continues to be evaluated as partially effective or ineffective, the employee may be requested to discuss the nonrenewal recommendation with the superintendent;
4. The nonrenewal of a nontenured teaching staff member shall not be based on race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, pregnancy, disability, nationality.

B. Request for Reasons

1. Any teaching staff member who has received notice of nonrenewal may within 10 days thereafter request in writing a statement of the reasons for such non-employment;
2. Reasons shall, to the extent possible, be specific and individual, and shall serve to assist the teaching staff member toward professional improvement;
3. Reasons shall be provided to the teaching staff member in writing 30 days after the request.

C. Request for Informal Appearance

Following formal nonrenewal action of the board, an employee may request an informal appearance before the board. In order to appear, an employee must make a request in writing within ten calendar days from receipt of the requested statement of reasons. The board will then schedule an appearance within 30 calendar days from the employee's receipt of the board's statement of reasons.

D. Conduct of Nonrenewal Appearance

The board does not consider an appearance for reasons of nonrenewal to be an adversarial hearing, rather the staff member is provided an opportunity to convince the board that it made an incorrect determination by not offering reemployment. Said appearance shall be conducted in accordance with the following rules:

1. Teaching staff members shall receive at least seven (7) calendar days notice of the date and time of the appearance;
2. The notice shall indicate that the meeting will be closed unless the teaching staff member request in writing that the meeting be publicly held;
3. Teaching staff members may be represented by counsel or an individual of their own choice;
4. Teaching staff members may present witnesses on their behalf;
5. Witnesses need not present testimony under oath and will not be subject to cross examination;
6. Witnesses will be called individually and excused after making their statement;

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7. The appearance will be privately held.

E. Decision of the Board

Within three days following the informal appearance, the board will notify the affected teaching staff member, in writing, whether or not it has revised its determination. Such notification may be delegated by the board to the Chief School Administrator or Board Secretary/Business Administration.

Adopted:	January 9, 2007
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