SUSPENSION AND DISMISSAL OF PROFESSIONAL STAFF MEMBERS

Employment and dismissal of professional staff members is the responsibility of the Board and dismissal will conform with the conditions and procedures specified in state law.

A contract of a teacher may be terminated at any time for just cause including:

1. plain violation of contract
2. gross immorality
3. incompetency or neglect of duty
4. poor performance
5. unprofessional conduct
6. insubordination
7. violation of any policy or regulation of the school district.
8. neglect

The Superintendent will give notice to the teacher of the intent to recommend termination. The notice must specify the grounds for the recommendation and inform the teacher of the right to request a hearing. The Board, the teacher, and the administration may have counsel present. After the hearing, or if a hearing is not requested, the Board will make its determination by majority vote in open session. Any order of termination of contract will state the grounds for termination.

Suspension

The Board or the superintendent may suspend a teacher with pay pending final action to terminate the contract if, in its judgment, the character of the charges warrants such action.

NOTE: Teacher Dismissal - there is no longer a significant difference between termination for cause and non-renewal of continuing contract teachers – the grounds for termination to include district policies and regulations. A teacher, or any other employee, has a protected property interest in an existing contract according to its terms and conditions. Accordingly, such a contract cannot be terminated without due process. If the superintendent intends to recommend termination during the course of a contract period, Constitutional Due Process demands that notice and opportunity for hearing by the Board be granted. The notice should apprise the teacher of the grounds for the action and his or her rights to be exercised at hearing. The notice should be served by the sheriff, sent by certified mail with return receipt requested, or hand-delivered in the presence of a witness and documented.