

PROFESSIONAL STAFF EMPLOYMENT STATUS

Non-renewal of a Non-Continuing Contract Teacher

Written notice of school board action of non-renewal must be given by the superintendent by April 15. See SDCL 13-43-6.3. No further process or reasons for non-renewal of non-continuing contract teachers need be given. Once the board has acted and the notice has been given, no further board action is required. When contracts are issued, none are issued to non-continuing contract teachers who have been given notice.

Non-renewal of a Continuing Contract Teacher

Written notice of the school board action of non-renewal must be given by the superintendent on or before April 15. The notice must identify one of the reasons set out in SDCL 13-43-6.1 as the basis for the action.

NOTICE - FAILURE OF THE BOARD TO MEET APRIL 15 DATE MAY
RESULT IN RE-EMPLOYMENT.

LEGAL REFS.: SDCL 13-43-6.1 through 9; and 13-25-1

Note: *Due Process - The second paragraph of SDCL 13-43-6.3 may be construed to imply that after a teacher has received his or her fourth consecutive contract, there is a reasonable expectation of continued employment unless termination for one of the reasons set forth in SDCL 13-43-6.1 has occurred.*

Reduction in Force - A Reduction in Force Policy is not statutorily required. Staff reduction procedure for probationary and non-probationary teachers is the same. Written notice of non-renewal due to RIF must be provided by the school board by April 15. No other action is required.

[3/1996] [6/2004] {ASBSD Review 12/2006} [January 2012]
{Reviewed July 2022}