

Personnel -- Certified

Retirement

Any certified employee may retire under provisions of the retirement system provided for teachers in the public schools of the state at the option of the employee.

(cf. 4145 - re Early Retirement Incentive)

Legal Reference: Connecticut General Statutes

10-183f (a) Normal retirement

10-183f (b) Pro-ratable retirement

10-183f (c) Early retirement

10-183f (d) Deferred vested retirement

10-183aa Disability allowance

Public Law 95-256 - Age Discrimination in
Employment Act - amendments of 1978

Policy adopted: June 26, 2006

EAST HAMPTON PUBLIC SCHOOLS
East Hampton, Connecticut

Personnel -- Certified

Dismissal/Suspension

Dismissal

1. Nontenured Teachers

The contract for employment of a teacher who has not attained tenure may be terminated at any time for any of the reasons enumerated below:

- a. Inefficiency or incompetence
- b. Insubordination against reasonable rules of the Board of Education
- c. Moral misconduct
- d. Disability, as shown by competent medical evidence
- e. Elimination of the position to which the teacher was appointed or loss of a position to another teacher, in accordance with Connecticut General Statutes 10-151 (d) (5)
- f. Other due and sufficient cause

Otherwise, the contract of such teacher shall be continued into the next school year unless such teacher receives a written notice by May 1st in one school year that such contract will not be renewed for the following year. A teacher may request a statement of reason(s) therefore. The teacher is entitled to a hearing upon written request filed with the Board within twenty (20) days after receipt of notice. A non-tenured teacher shall not be entitled to a hearing concerning non-renewal if the reason for such non-renewal is either elimination of position or loss of position to another teacher. The hearing shall be conducted before the Board, or if indicated in such request and if designated by the Board, before an impartial hearing panel established and conducted in accordance with law. The hearing shall commence within fifteen (15) days of such request unless the parties mutually agree to an extension.

A teacher who has not attained tenure and whose contract is terminated for any of the reasons under 1(a-d), above, shall have the right to appeal in accordance with the provisions of subsection (f) of C.G.S. 10-151. No right of appeal shall exist if (1) a teacher who has not attained tenure has received non-renewal notice prior to May 1st of a school year or (2) such teacher's contract is terminated for the reasons under 1(e-f) above.

Personnel -- Certified

Dismissal/Suspension

Dismissal (continued)

2. Tenured Teachers

The contract of employment of a teacher who has attained tenure shall be continued from school year to school year, except that it may be terminated at any time for one or more of the following reasons:

- a. Inefficiency or incompetence, determination of incompetence based on evaluation of the teacher using teacher evaluation guidelines established pursuant to 10-151(b)
- b. Insubordination against reasonable rules of the Board of Education
- c. Moral misconduct
- d. Disability, as shown by competent medical evidence
- e. Elimination of the position to which the teacher was appointed or loss of a position to another teacher, in accordance with C.G.S. 10-151(d)(5)
- f. Other due and sufficient cause

Prior to terminating a contract, the Superintendent shall give the teacher concerned a written notice that termination of such teacher is under consideration and, upon written request filed by such teacher with the Superintendent within seven days after receipt of such notice, shall within the next succeeding seven days give such teacher a statement in writing of the reasons therefore. Within twenty days after receipt of written notice by the Superintendent that contract termination is under consideration, such teacher may file with the Board a written request for a hearing. Such hearing shall commence within fifteen days after receipt of such request, unless the parties mutually agree to an extension, before the Board of Education or, if indicated in such request or if designated by the Board, before an impartial hearing panel, or if the parties mutually agree, before a single impartial hearing officer chosen by both parties. If the parties are unable to agree upon the choice of a hearing officer, the hearing shall be held before the Board or panel, as the case may be.

The Board shall give the teacher concerned its written decision within fifteen (15) days of receipt of the written recommendation of the impartial hearing panel, subcommittee a hearing office, or within fifteen (15) days if the hearing is before the Board of Education. The Board's decision may be appealed to the Superior Court.

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Dismissal/Suspension

Dismissal (continued)

The Superintendent may suspend an employee pending Board action when, in the opinion of the Superintendent, continuation of the employee in the position presents a clear danger to the students, staff, property or reputation of the school system.

Legal Reference: Connecticut General Statutes

10-151 Employment of teachers. Definitions. Notice and hearing on failure to renew or termination of contract. Appeal. (as amended by P.A.11-136, An Act Concerning Minor Revisions to the Education Statutes.)

46a-60 Discriminatory employment practices prohibited

PA 95-58 An Act Concerning Teacher Evaluations, Tenure and Dismissal.

PA 97-247 An Act Concerning Revisions to the Education Statutes.

Shanbrom v. Orange Board of Education, 2 Conn. L. Rpts. 396, 398 (1990)

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