

**SUSPENSION/DISMISSAL**

**Dismissal**

Under the Teacher Tenure Act, a “teacher” is defined as “each certified professional employee below the rank of Superintendent employed by a Board of Education for at least ninety days in a position requiring a certificate issued by the State Board of Education.”

**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 in accordance with A.D.A.
- 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

Otherwise, the contract of such teacher shall be continued into the next school year unless such teacher receives a written notice by April 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 and the district will furnish such a statement within seven (7) days of the receipt of the request. The teacher is entitled to a hearing upon written request filed with the Board within twenty (20) days after receipt of notice. 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 or if the parties agree, before a single impartial hearing officer. 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 (e) of C.G.S. 10-151. No right of appeal shall exist if the reason for such non-renewal is either elimination of position or loss of position to another teacher.

**Dismissal** (continued)

**2. Tenured Teachers**

The contract for 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
- b. Insubordination against reasonable rules of the Board of Education
- c. Moral misconduct
- d. Disability, as shown by competent medical evidence in accordance with A.D.A.
- 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 Board of Education shall vote to give the teacher concerned a written notice that termination of such teacher is under consideration and, upon written request filed by such teacher with such Board within seven days after receipt of written notice by the Board of Education that contract termination is under consideration, such teacher may file with such 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 not to exceed fifteen days, 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 within five (5) days after their decision to use a hearing officer, the hearing shall be held before the Board or panel, as the case may be.

Within ninety (90) days after receipt of the request for a hearing, the impartial hearing panel, or hearing officer, unless the parties mutually agree to an extension, shall submit findings and recommendation to the Board of Education as to the disposition of the charges against the teacher, and shall send a copy of such findings and recommendation to the teacher. The Board of Education shall give the teacher concerned its written decision within fifteen (15) days of receipt of the written recommendation. If the hearing is before the Board of Education, the Board shall render its decision within fifteen (15) days after the close of such hearing, and shall send a copy of its decision to the teacher. Any teacher aggrieved by the decision may appeal within thirty (30) days of such decision to the Superior Court.

