



SCHOOL DISTRICT OF SHIOCTON  
 N5650 Broad St, P.O. Box 68, Shiocton, WI 54178-0068  
 (920) 986-3351 • Fax: (920) 986-3391

Book	Policy Manual
Section	3000 Professional Staff
Title	Copy of TERMINATION, NON-RENEWAL AND RESIGNATION TERMINATION AND NON-RENEWAL
Code	po3140
Status	First Reading
Adopted	November 2, 2009
Last Revised	August 6, 2012

### 3140 - ~~TERMINATION, NON-RENEWAL, RESIGNATION, AND TERMINATION~~

#### ~~TERMINATION AND NON-RENEWAL~~

A critical function of the Board is maintaining personnel necessary to carry out the District's educational program and mission. In the course of carrying out this function, the Board will at times find it necessary to end an employment relationship with a member of the professional staff. This policy governs the process of non-renewal and termination of employees, as well as the conditions under which a resignation may be accepted.

#### Full-Time Teachers

All full-time teachers are required to be under contract with the District. A full-time teacher's employment contract is automatically void and employment ended if the teacher does not have an appropriate teaching license issued by the DPI. Otherwise, a full-time teacher's employment shall be subject to non-renewal, termination, or resignation as follows:

##### 1. Non-Renewal

In the event that the District Administrator intends to recommend the non-renewal of a full-time teacher's contract, all applicable statutory non-renewal procedures and timelines will apply, including both preliminary and final notice of nonrenewal. No teacher may be non-renewed solely on the basis of the results of mandatory student examinations. The District Administrator shall be responsible for notifying the affected teacher of his/her rights relative to the non-renewal process.

Teacher contracts may be non-renewed upon a majority vote of the full membership of the Board.

##### 2. Termination

A full-time teacher's contract may be terminated only by a majority vote of the full membership of the Board. The District Administrator shall, if deemed appropriate, recommend a teacher's termination to the Board. The District Administrator is responsible for providing the teacher with appropriate notice regarding the hearing and for taking the necessary steps to present any such recommendation to the Board.

The District Administrator may engage in negotiations with the teacher for purposes of resignation short of a hearing, subject to final Board approval.

##### 3. Resignation

A full-time teacher may resign from his/her position only upon approval of a majority of the full membership of

the Board. The District Administrator may negotiate terms of resignation with such a teacher as appropriate and present those terms to the Board in an appropriately noticed, regular or special Board meeting, as necessary. A resignation is only in effect once approved by the Board. A resignation, once accepted by the Board, may not be rescinded without approval by the Board.

## **Part-Time Teachers**

-

**Teachers employed less than full-time, but not including substitute teachers whose employment is covered by Policy 3120.04, and whose employment contract does not specify procedures for termination of contract, may be terminated either by the District for appropriate reasons or by a majority vote of a quorum of the Board members present at a properly noticed meeting. A resignation, once accepted, may not be rescinded by the teacher.**

-

A part-time teacher whose contract does not specify otherwise is not entitled to notice of intent to renew or of intent not to renew his/her contract for a subsequent school year.

The terms of the part-time teacher contract shall apply when the contract provides for procedures different than those noted in this policy.

-

## **Administrators**

The Board employs administrative employees under a variety of employment arrangements. Generally, those arrangements include those administrators who, by law, are required to have an employment contract and are provided statutory rights with respect to those contracts; those that are not required to have contracts by law, but are nonetheless employed pursuant to a written contract approved by the Board; and those who perform administrative functions, but who do not have a contract which specifies the terms of employment as they relate to termination, resignation, and nonrenewal of the employment arrangement.

### **1. Statutory Administrators**

The Board shall employ by contract the following persons: the District Administrator, business manager, school principals, and assistants to such persons, as well as the following persons employed solely to perform administrative functions: personnel administrators and supervisors, curriculum administrators, and assistants to such administrative personnel.

Such administrators may only be terminated, either due to appropriate circumstances justifying termination of employment or by tendered resignation, by a majority of the full membership of the Board.

Such administrators are entitled to contract renewal or notice of intent not to renew the administrator's contract pursuant to applicable statutory procedures, and any additional procedures incorporated into the said contract.

The District Administrator shall be responsible for assuring compliance with the procedures necessary for Board action to terminate or to non-renew an administrator's contract. In the case of the District Administrator's contract, the Board President shall be responsible for assuring procedural compliance with termination or non-renewal processes.

A resignation, once accepted by the Board, may not be rescinded except by approval of the majority of the full membership of the Board.

### **2. Administrators with Contracts including Provisions Governing Termination**

The Board may employ administrators who are not statutorily entitled to an employment contract or to statutory termination and non-renewal procedures, but who nonetheless are issued employment contracts with provisions governing this process applicable to the manner in which the employment relationship is concluded, either by resignation, termination, or non-renewal. In such cases, the District Administrator shall be responsible for assuring adherence to applicable contractual procedures.

-

### 3. Administrative Personnel with no Contractual or Statutory Coverage

Employees performing administrative functions, but who are not covered by applicable statutory termination or non-renewal procedures, and who have not been issued an employment contract with provisions governing the termination or non-renewal process, are not entitled to notice of intent to renew or not to renew an employment agreement. In such a case, an employment agreement shall expire and the employee shall have no expectation of continued employment beyond the term of the agreement.

Such an administrative employee's employment may be terminated by a majority of a quorum of the Board present at a regular or special Board meeting. Such an administrative employee's resignation may be accepted by the District Administrator. A resignation, once accepted, may not be rescinded without agreement.

~~Teacher contracts may be terminated or non-renewed upon a majority vote of the full membership of the Board of Education.~~

~~All employees are at will employees that may be terminated or whose contracts may be non-renewed for any reason provided that the decision is not arbitrary or capricious, or in violation of any applicable law.~~

~~In the event the District Administrator intends to recommend the non-renewal of a teacher's contract, he or she shall comply with applicable statutory non-renewal procedures. No teacher may be terminated or non-renewed solely on the basis of the results of mandatory student examinations.~~

~~Any decision to terminate or non-renew a staff member's employment contract shall be subject to review consistent with the grievance procedure in Policy 3340—Grievance Procedure.~~

#### **RESIGNATION**

~~A professional staff member may resign in accordance with the terms of his/her employment contract. A resignation, once submitted and accepted by the Board, is final and may not be rescinded without approval by the Board.~~

~~An administrator, other than a business manager, principal, or assistant principal, may resign by filing a written resignation with the District Administrator.~~

~~The District Administrator may act for the Board in the acceptance of a resignation.~~

~~The District Business Manager, Principal, and any assistant principals employed by the district may resign employment with the District in accordance with the terms of his/her contract. A resignation, once submitted and accepted by the Board, may not be rescinded without further action by the Board.~~

Revised 3/23/12

Revised

© Neola 2019~~2012~~

Legal                      118.30(2)(c), Wis. Stats.  
                                  118.22, Wis. Stats.  
                                  118.24, Wis. Stats.