

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.

If nonrenewal of a teacher is contemplated under state statute, the superintendent shall give written notice to both the teacher and the board:

1. of an intention to recommend nonrenewal;
2. a written statement of the reasons for the recommendation;
3. access to the employment records of the teacher;
4. the opportunity to the teacher for a hearing before the school board to present reasons in person or in writing why the nonrenewal should not occur; and,
5. the opportunity to be represented.

If the teacher requests a hearing, such request shall be done as provided in state statute. The school board shall conduct the hearing not sooner than fourteen (14) days, nor later than forty-five (45) days, after receipt of the teacher's request for hearing. The parties may waive the time limitations provided for in this section.

After the hearing, 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/CEO 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.

Adopted: February 12, 2001

Amended: September 8, 2008

LEGAL REF.: SDCL 13-43-6 through 13-43-6.6 (Effective January 1, 1997)

