

## **NONRENEWAL OR NONREEMPLOYMENT OF CERTIFIED PERSONNEL**

The board of trustees of the Jackson Public School District recognizes that it is necessary, from time to time, to release from future employment licensed personnel where their performance fails to meet the standards of this school district or where their services are no longer needed. This policy only applies to nonrenewal or nonreemployment of certified employees. Any nonreemployment or nonrenewal decision of this school district shall be based upon valid educational reasons or noncompliance with school district personnel policies.

For purposes of this policy and state law, an employee is defined by the Education Employment Procedures Law as one of the following: (a) any teacher, principal, superintendent or other professional personnel employed by the Jackson Public Schools for a continuous period of two (2) years and required to have a valid teaching license issued by the State Department of Education as a prerequisite of employment; **or** (b) any teacher, principal, superintendent or other professional personnel who has completed a continuous period of (2) years of employment in a Mississippi public school district and one (1) full year of current employment with the Jackson Public Schools, and who is required to have a valid teaching license issued by the State Department of Education as a prerequisite of employment. Those persons who do not meet these criteria are not entitled to the protections of this law.

In the event that a determination is made not to offer an employee a renewal contract for a successive year, written notice of nonrenewal shall be given a principal on or before March 1 and other professional employees on or before April 15 or within ten (10) calendar days after the date that the Governor approves the appropriation bill comprising the state's education budget for funding K-12, whichever date is later. The notice shall state the reasons for the proposed nonreemployment.

Employees receiving written notice under the provisions of this policy shall, upon written request within ten (10) calendar days of notice of proposed nonreemployment, be entitled to:

- (a) written notice of the specific reasons for nonreemployment together with a summary of the factual basis therefor, a list of witnesses and a copy of documentary evidence substantiating the reasons intended to be presented at the hearing. The school district shall give this notice to the employee at least fourteen (14) calendar days prior to any hearing;
- (b) an opportunity for a hearing at which to present matters relevant to the reasons given for the proposed nonreemployment, including any reasons alleged by the employee to be the reason for nonreemployment;
- (c) receive a fair and impartial hearing before the school board or hearing officer selected by the school board;

(d) be represented by legal counsel, at his/her own expense.

If the employee does not request a hearing, the recommendation regarding the nonreemployment of the employee shall be final.

An employee who requests a hearing must provide to the school attorney, at least five (5) days before the scheduled date of the hearing, a written response to the specific reasons for nonrenewal, a list of witnesses, and a copy of the documentary evidence in support of the response intended to be presented at the hearing. Failure to comply renders the recommendation for nonrenewal final without a hearing.

It is the intent of this school district to establish procedures for providing employees with notice of the reasons for not offering him/her a renewal of his/her contract and to provide an opportunity for them to present matters relevant to the reasons given for the proposed nonreemployment determination and to the reasons the employee alleges to be the reasons for nonreemployment. The board is required to determine whether the recommendation of nonreemployment is a proper employment decision and not contrary to law and whether the nonrenewal decision is based upon valid educational reasons or noncompliance with school district personnel policies.

Hearings shall be conducted pursuant to the "Rules of Procedure Under the Education Employment Procedures Law of 2001". All proceedings under this policy are and shall be governed by the "Education Employment Procedures Law of 2001," as set forth in §37-9-101 *et. seq.*

SOURCE: Mississippi School Boards Association, and Jackson Public School District,  
Jackson, Mississippi

LEGAL REF.: Miss. Code Ann. 37-9-101 *et. seq.*

DATE: September 16, 2002

July 12, 2016