

**PROBATIONARY TEACHER NONRENEWAL  
AND ELECTION TO CAREER STATUS**

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The board, upon recommendation of the superintendent, may refuse to renew the contract of any probationary teacher or to reemploy any teacher who is not under contract for any cause it deems sufficient, so long as the cause is not arbitrary, capricious, discriminatory or for personal or political reasons.

Nonrenewal Procedure

- 3425.1 If the superintendent intends not to recommend renewal of a probationary teacher not eligible for career status, or intends not to recommend career status for a probationary teacher who is eligible for career status, the superintendent shall provide written notice to the probationary teacher of the superintendent's intent no later than May 15. The notice shall also advise the probationary teacher of the teacher's right, within 10 days of receipt of the superintendent's recommendation, to request and receive (1) written notice of the reasons for the superintendent's recommendation, and (2) the information that the superintendent may share with the board to support the recommendation.
- 3425.2 If the teacher is eligible for career status, the superintendent's notice also shall advise the teacher of the teacher's right to request a board hearing if the recommendation not to grant career status is for any reason other than a reduction in force. [This section does not take effect until September 1, 2010].
- 3425.3 The failure of the teacher to file a timely request within the 10 days shall result in a waiver of the right to the information and any right to a hearing before the board.
- 3425.4 If the teacher files a timely request, the superintendent shall provide the requested information and shall arrange a hearing if allowed. The teacher shall be permitted to submit supplemental information to the superintendent and board within 5 days of receipt of the superintendent's information. The superintendent shall submit to the board the information provided to the teacher and the supplemental information submitted by the teacher. The superintendent also may submit to the board of education and to the teacher additional information that (1) addresses the teacher's supplemental information or (2) was not available at the time of the superintendent's original provision of information.
- 3425.5 A probationary teacher not eligible for career status may petition the board for a hearing regarding the superintendent's recommendation for nonrenewal. The board may grant a hearing in its discretion. The board shall notify the probationary teacher of its decision whether to grant a hearing.
- 3425.6 A probationary teacher eligible for career status has the right to a hearing before the board regarding the superintendent's recommendation not to grant career status unless the reason is for a reduction in force, defined for purposes of this policy as a justifiable board-or-superintendent-approved decrease in the number

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of positions due to district reorganization, decreased enrollment or decreased funding. [This section does not takes effect until September 1, 2010].

- 3425.7 Any hearing under this policy shall be held in accordance with G.S. §115C-45(c), before the board or a panel of the board consisting of not less than two members.
- 3425.8 The board shall notify a probationary teacher whose contract will not be renewed for the next school year of its decision by June 15. If, however, the probationary teacher has submitted a request for information or a hearing, the board shall provide the nonrenewal notification by July 1 or such later date as may be consented to in writing by the superintendent and the probationary teacher.
- 3425.9 The board shall vote on whether or not to grant career status and give written notice of its decision by June 15 to a probationary teacher eligible for career status. If, however, the teacher submitted a request for information or a hearing, the board shall vote and give the teacher written notice of its decision by July 1 or such later date as may be consented to in writing by the superintendent and probationary teacher.

Election of a Teacher to Career Status

- 3425.10 When a probationary teacher has been employed in the school system for four consecutive years, the board, near the end of the fourth year, shall vote upon whether to grant the probationary teacher career status. For a teacher who has already obtained career status in any North Carolina public school system, the board will either grant career status immediately upon employing the teacher or will vote on whether to grant the teacher career status near the end of the teacher's first year of employment.
- 3425.11 If the superintendent intends not to recommend career status, the nonrenewal procedure provided above will apply.
- 3425.12 The board will vote on whether to grant career status and will give the teacher written notice of its decision by June 15 or such later date as provided in section 3425.9 above.

Cross Reference: Recruitment, Selection and Retention (Policy 3020); Probationary Teacher Nonrenewal and Election to Career Status (Policy 3425).

Legal Reference: G.S. 115C-325

Adopted: April 12, 2010