

## 5.20.091-P Non-Renewal Of Probationary Teachers

The following procedures are adopted pursuant to ORS 342.835, as amended by Chapter 727, Oregon Laws 1975 (Senate Bill 645).

- (1) **Board Action on Non-renewal.** Non-renewal of probationary teachers' contracts and employment is made on the authority of the Board. Ordinarily, the Board acts on the recommendation of the superintendent, who, in turn, acts on the recommendations of the Office of Personnel Services. By reason of the legal requirements for notice of intended action by April 1, with respect to contracts and employment for the ensuing school year, the Board at times acts on the basis of such re



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Services a list which shall state the specific entry to be contested and state the specific respects in which it is inaccurate, incorrect, or inappropriate, in which case the presiding officer shall take the notice of intention to contest into consideration in determining whether additional testimony should be required to justify receipt of the contested entry into evidence. Final determinations previously made in grievance proceedings, including those concerning evaluations conducted pursuant to the Professional Agreement, shall be given full effect.

(5) **Review by the Board.**

- (a) **In General.** The Board shall review the record made at the hearing before making its decision. Unless otherwise directed by the Board, the evidence considered by it will be confined to the record made at the hearing, and any further presentation to the Board on behalf of a teacher will consist only of argument based on the record and presented by either the teacher or the teacher's representative, but not by both.
- (b) **Additional Evidence.** In the event the teacher, or the teacher with the teacher's representative, desires to present additional evidence to the Board which for good cause was not presented at the hearing, written application therefore shall be made prior to the date on which the Board's decision is made. The application shall specify the witnesses and testimony proposed, to be presented include a copy of any exhibits proposed to be offered, and state the specific reasons such evidence was not presented at the hearing.
- (c) **Finality.** The hearing provided under this policy shall constitute the hearing specified in ORS 342.835. The Board's decision shall be final and is not subject to arbitration.

(6) **Effect of Procedural Errors.** In the event a hearing under this policy is determined by the Board or upon appeal beyond the Board to have been inadequate in a material respect, such shall not result in automatic renewal of contract or employment or re-election of an ensuing year but shall entitle the teacher to a rehearing conducted in an adequate manner which may result in affirmation, reversal or modification of the previous recommendation.

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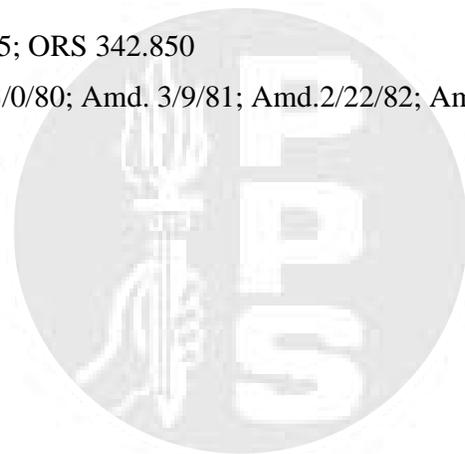
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thereof by certified mail to the last address shown for the teacher on the district's personnel record.

- (9) **Special Procedures for Large-Scale Non-renewals.** Section 4.c. of this policy shall not apply to large-scale non-renewals enacted by the Board when faced with circumstances of possible major staff and budget reductions. The evidentiary hearings with respect to all those requesting a hearing on such actions shall be consolidated into one proceeding and conducted at a Board meeting. In addition, the time for requests for reasons and hearing provided in Section 3 shall, for purposes of such actions only, be changed from the 10th working day after the Board meeting at which the Board initially determined to non-renew to three months after the action.

Legal References: ORS 342.835; ORS 342.850

History: Adpt. 3/11/76; Amd. 3/0/80; Amd. 3/9/81; Amd.2/22/82; Amd. 10/83



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