

STAFF PERSONNEL
Series 400

Policy Title: CONTINUING CONTRACTS

Code: 402.2

Definitions

Non-Renewable Contract Certificated Employee – Non-renewable contracts shall be issued at the sole discretion of the Board.

Category A Certificated Employees – Certificated personnel hired on a limited one-year contract as provided in I.C. § 33-514A.

Category B Certificated Employees – Certificated personnel in the fourth or greater years of continuous employment within the same school district as provided in I.C. § 33-514 and who, at the sole discretion of the Board, are eligible to be offered a limited two (2) year contract. The Board, at its sole discretion, may add an additional year to such a contract upon the expiration of the first year.

Renewable Contract Certificated Employees

Certificated personnel who may automatically renew their employment with this District for the next school year by giving written notice of acceptance of renewal by July 20th. Only certificated employees that attained renewable contract status prior to January 31, 2011 may be employed on a grandfathered renewable contract and shall have the right to continued automatic renewal of their employment contract.

The District shall have the option to grant renewable contract status when it hires a certificated employee who has been on a renewable contract with another Idaho school district. Alternatively, the District can place the certificated employee on a Category A or B contract. A certificated employee hired with previous out-of-state experience shall not be eligible for a renewable contract.

Notice

1. Category A Certificated Employees' contracts are limited one-year contracts for certificated personnel in their first or greater year(s) of continuous employment with the same school district. Upon a decision by the local school Board not to reemploy the person for the following year, the certificated employee shall be provided a written statement of reasons for non-reemployment by no later than July 1st.
2. Category B Certificated Employees' contracts are limited two-year contracts that may be offered at the sole discretion of the Board. Upon the decision by a Board of Trustees not to reemploy the person employed on a Category B contract for the following year, the certificated employee shall be provided a written statement of reason for non-reemployment by no later than July 1st. Category B certificated employees shall, upon written request, be given the opportunity for an informal

- review of such decision by the Board. The parameters for the informal review will be determined by the Board.
3. Grandfathered Renewable Contract – The Board shall provide written notification to each person entitled to be employed on a renewable contract by July 1st. All employees on grandfathered renewable contracts must give written notice of acceptance of automatic renewal of contract to the Board no later than July 20th. These dates are specified in the Idaho Code, and may not be altered by contract or agreement. The employee's failure to timely provide written acceptance of renewal of contract may be interpreted by the Board as a declination of the right to automatic renewal or the offer of another contract. Before the Board determines not to renew the contract for the unsatisfactory performance of grandfathered renewable contracted certificated employees, such employees shall be entitled to a defined period of probation as established by the Board, following an observation, evaluation or partial evaluation. The probation shall be preceded by written notice from the Board, or its designee, with the reasons for the probationary period and with provisions for adequate supervision and evaluation of the employees' performance during the probationary period.
 4. Superintendents, Principals, and Administrators – The Board shall make a determination as to how long administrators have to sign and return their contracts. If the Board makes no such determination the default time limit shall be twenty-one (21) days after the contract is delivered to the administrator.

Supplemental Contract

Supplemental Contracts may be for extra days or for extra duties. Extra duty supplemental contracts are for an assignment, which is not part of a certificated employee's regular teaching duties. Extra day supplemental contracts are an assignment of days of service in addition to the standard contract length used for the majority of certificated employees of the District.

The Board shall provide the same rights to due process and procedures for supplemental contracts as those provided by the underlying contract (Category A, Category B, or grandfathered renewable). Written notice of non-reissuance of extra day supplemental contracts should be treated in the same way as notice of non-reissuance of the underlying contract.

Any supplemental contract for extra duties shall be separate and apart from the certificated employee's underlying contract (Category A, B, or grandfathered renewable) and no property rights shall attach and thus there is no process due for non-reissuance. [OPTIONAL – A written notice of non-reissuance of the extra duty supplemental contract with a written statement of reasons may be provided.]

Delivery of Contract

Delivery of a contract may be made only in person or by certified mail, return receipt requested. If delivery is made in person, the delivery must be acknowledged by a signed receipt.

Return of Contract

A person who receives a proposed contract from the district shall have 10 days from the date of delivery to sign and return the contract.

Failure to Accept or Acknowledge

Should a person willfully refuse to acknowledge receipt of the contract or the contract is not signed and returned to the Board within the designated time period, the Board may declare the position vacant.

Date of Adoption: 4/14/94
Readopted: July 2009
Revised: March 19, 2012

Legal References:
Section 33-513, 33-514, 33-515 &
33-515A I.C.

Related References:
Staff Appraisal Policies Jan. 1976 App. E