

EMPLOYEES - Series 400

Licensed - Termination of Employment

407.7 Contract Termination

The Board of Education may, by majority vote, discharge any employee for just cause.

A teacher may be discharged at any time during the contract year in accordance with the provisions of the Code of Iowa.

The superintendent may suspend a teacher pending hearing and determination by the Board as provided by Iowa Code.

In the event of suspension or demotion (except discharge of teachers under Chapter 279 of the Code of Iowa) of licensed employees of the district, the superintendent of schools shall provide the opportunity for a pre-suspension or demotion hearing consistent with the United States Supreme Court ruling in Laudermill. Upon written request made within three days after said hearing and filed with the board secretary, a post suspension or demotion hearing shall be provided before the Board consistent with said ruling. The Board shall set a date for said hearing and shall provide notice thereof and shall determine the procedures for the conduct of said hearing. The Board may affirm, modify or reverse the actions of the superintendent of schools and may stay the actions of the superintendent of schools on its own motion or may reinstate with full back pay and benefits in case of reversal.

Bargaining unit members have the right to union representation and/or legal counsel at the above hearings.

The procedure for dismissal (contract termination at year end) shall be as provided in Iowa Code.

Adoption Date: January 24, 1983

Review Date: May 9, 2011

Revision Date: August 18, 1994

Legal References: Iowa Code Sections 279.15(2) through 279.19; 279.27
Court Cases: McFarland v. Norwalk Comm. Sch. Dist.; Burton v. Ames Comm. Sch. Dist.; Youel v. Madison Comm. Sch. Dist.; Briggs v. Hinton Comm. Sch. Dist.; Bd. of Directors of Sioux City Comm. Sch. Dist. v. Mroz; Keith v. Comm. Sch. Dist. of Wilton; Moravek v. Davenport Comm. Sch. Dist., Spilman v. Board of Directors of Dan County Comm. Sch. Dist.; Web v. Lake Mill Comm. Sch. Dist.; McGuffin v. Willow Comm. Sch. Dist.

Cross Reference: 405.9 Continuing Contract of Licensed Personnel