

Section 400 – Personnel

Certificated Employees - General

Certificated Employee Probationary Status/Tenure

File: 406.09

The first three years of a new full-time certificated employee's contract shall be a probationary period. The probationary period for part-time certificated employees shall be based upon formulas provided by state statute.

During this probationary period the superintendent may terminate or amend the certificated employee's contract at year-end or discharge the employee in concert with corresponding board policies.

Hearings involving the nonrenewal of a probationary certified employee's contract or the nonrenewal of the superintendent of schools shall not be due process hearings and shall not meet the requirements of a due process hearing. For certified employees other than the superintendent of schools, these hearings may be held before a committee of the board of education consisting of not less than three of the board of education's total members. Notice of such hearing shall be sent to all members of the board of education five (5) days prior to a hearing. If a hearing is held before a committee of the board of education, the committee shall make a recommendation to the board of education with the final determination being made by a majority of the entire board of education.

Such hearings shall be held in closed session at the request of the certified employee or the superintendent of schools involved, or his or her representative, and upon affirmative vote of a majority of the members of the board of education present and voting, but the formal action of the board of education for renewal or nonrenewal a contract shall be taken in open session.

Legal Reference: Neb. Statute 79-828