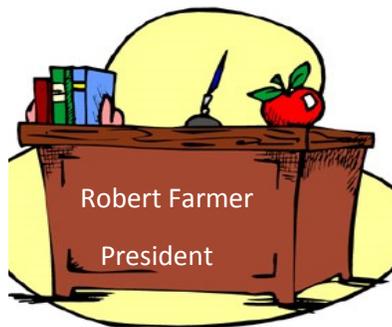


CAMDEN EDUCATION

ASSOCIATION



Update 2017

Volume 3

From The Desk of The President

Please Read

Important

Notice

Do I Have Rights?????

Legal Language for Non-Tenure Members

Untenured teachers and other support staff members (Security Officers, Attendance Officers and Para-Professionals) have far fewer rights than tenured employees. They are “employees at will.” However, this does not mean they are without any rights. In fact, while less than those with tenure, non-tenured employees do have substantial rights.

Notice of Non-Renewal or Automatic Renewal. Although non-tenured employees do not have as much protection, they do have rights. For instance, every nontenured member must receive a written offer of an employment contract for the following academic year, or that his or her contract will not be renewed, by May 15th. Failure by the employer to timely provide this notice is deemed an offer of employment with a contract on the same terms as the prior year with required salary increases. **The employee must accept in writing by June 1st.** Please submit the Letter of Acceptance to Chief Operating Officer, Emiley Nielson of the Department of Talent and Labor Relation. (Website address: enielson@camden.k12.nj.us)

Statement of Reasons. A teacher who is not renewed or is terminated has the right to a written statement of the reasons for being let go.

Donaldson Hearings. A member who is not renewed or is terminated is entitled to an appearance before the board of education where they can attempt to convince the board members to offer re-employment or not accept the recommendation for his or her termination. This appearance, which is informal and not subject to the rules of evidence, is known as a Donaldson Hearing, after the case of Donaldson v. Board of Education of the City of North Wildwood, in which New Jersey’s Supreme Court first recognized this right.

Rice Notice. Under New Jersey’s Open Public Meetings Act, Boards of Education are supposed to discuss personnel issues in closed session. However, employees are entitled to notice of the meeting and the issues to be discussed about his or her non-renewals or terminations. This is called a “Rice Notice,” after the case of Rice v. Union County Regional High School Board of Education, in which New Jersey’s Appellate Division found the right to this to this notice. This notice allows the employee to exercise his or her right to a Donaldson Hearing,