

Certificated personnel of Aberdeen School District No. 58 will be employed pursuant to a written contract, on a form approved by the state superintendent of public instruction. The employment contracts will state: (1) the length of time the contract is in force; (2) the total compensation of the contract period; and (3) the employee's full-time equivalent (FTE) status.

The district will enter into employment contracts with individuals who hold a valid certificate for the position they will be assigned on the date employment commences pursuant to the contract unless a waiver has been requested and received from the Idaho State Department of Education (SDE).

Contracts entered into with certificated employees during the 2012-13 school year will be governed by the Idaho laws that existed at the time those professional personal contracts were signed.

### **ANNUAL CONTRACTS**

No contract shall be issued for the next ensuing year until such time as the employee's formal written performance evaluation has been completed.

There are three (3) categories of annual contracts available to the district under which to employ certificated employees during their first three (3) years of employment in the district:

**Category 1:** A limited one-year contract for certificated personnel specifically offered for the duration of the ensuing school year to individuals hired after August 1 or the spouse of a board member who meets the criteria set forth in section 33-507(3), Idaho Code. Such a contract is specifically offered for the limited duration of the ensuing school year and no further notice is required by the district to terminate the contract at the conclusion of the contract year.

**Category 2:** A contract for certificated personnel in the first or second year of continuous employment with the same district. If the board decides not to reemploy the certificated employee for the following school year, the employee will be provided with a written statement of the reasons for non-reemployment no later than July 1. The employee is not entitled to a review by the board of the reasons or decision not to reemploy the individual.

**Category 3:** A contract for certificated personnel during the third year of continuous employment with the same district. Each certificated employee on a Category 3 contract will be given written notice on or before July 1 whether he or she will be reemployed for the following school year. If the employee will not be reemployed, the notice must contain a statement of reasons for the decision and, upon submitting a written request, the employee will be given the opportunity for an informal review of the board's decision as set forth in Policy No: 460, Informal Review Procedure for Certificated Employees.

### **RENEWABLE CONTRACTS**

Certificated employees, school nurses, and school librarians who have been employed by this district for three (3) or more full years of continuous service will have the right to automatic contract renewal upon signing and timely returning a contract for a fourth full year.

Renewable contracts will be issued on or before July 1 of each year. At the discretion of the board, letters of intent for employment for the next ensuing school year may be issued to renewable contract status employees during May of each school year. A letter of intent will not state a specific duration of the contract or salary/benefits term for the next ensuing school year.

Any contract automatically renewed may be renewed for a shorter term, longer term, or the same length of term as stated in the current contract and at a greater, lesser, or equal salary as stated in the current contract. Any changes to a standard teacher contract will be uniformly applied to all employees to the extent allowable in Section 33-1004E, Idaho Code, unless the board enacts its reduction in force policy. Unless otherwise negotiated, standard teacher contract renewals for terms shorter in length than set forth in the existing contract will only occur after the board determines that the estimated salary-based apportionment reimbursement it will receive for the ensuing school year is less than the sum the district would otherwise be paying for salaries for certificated employees.

The board may offer a renewed contract increasing the salary of any certificated person or reassign an administrative employee to a nonadministrative position with appropriate reduction of salary. In the event of reassignment, the board will give written notice to the employee with a statement of the reasons for the reassignment. The employee, upon written request to the board, will be entitled to an informal review of the decision as set forth in Policy No: 460, Informal Review Procedure for Certificated Employees.

If the board, for reasons other than unsatisfactory service, for the following contract year, decides to (1) change the length of the terms stated in the current contract, or (2) reduce the salary of a certificated employee whose contract would otherwise be automatically renewed, an individualized due process proceeding is not required. The board will hold a single informal review for all impacted employees as set forth in Policy No: 460, Informal Review Procedure for Certificated Employees. Furthermore, the board will notify the employee in writing whether there is just and reasonable cause to change the length of the terms stated in the current contract or reduce the salary of the affected employee, and if so, what reasons the board relied upon in making its decision.

If the board takes action to (1) immediately discharge any certificated employee (annual or renewable contract) for any reason during the current contract period, or (2) does not renew any renewable contract employee at the end of the current contract period, the board will follow the discharge procedures as set forth in Section 33-513(5), Idaho Code, and Policy No: 454, Discharge of Certificated Employees. Furthermore, the board will notify the employee in writing whether there is just and reasonable cause not to renew the contract, and if so, what reasons the board relied upon in making its decision.

## **EMPLOYING INDIVIDUALS WITH RENEWABLE CONTRACT STATUS**

The board reserves the right to hire a certificated employee who has been on a renewable contract with another Idaho school district, or who has out-of-state experience that would qualify the individual for renewable contract status in Idaho, by immediately granting renewable contract status to the individual or placing the individual on a Category 3 annual contract. If the employee is hired under a Category 3 contract, the board has the discretion to issue a Category 3 contract annually for one (1), two (2), or three (3) years.

**DELIVERY AND RETURN**

Delivery of a contract may be made in person, by certified mail, or electronically. When delivery is made in person, delivery of the contract must be acknowledged by a signed receipt. When delivery is made by certified mail or electronically, delivery must be acknowledged by the return of the certified mail receipt or return of the electronic receipt from the person to whom the contract was sent.

If the delivery of the contract is made electronically, with return electronic receipt, and the district has not received a return of a signed contract and has not received an electronic read receipt from the employee, the district will resend the original electronically delivered contract to the employee via certified mail, return receipt requested, and provide the individual with a new date for contract return. In the event an individual willfully refuses to acknowledge receipt of the contract or the contract is not signed and returned to the board within the designated or default period of time, the board or its designee may declare the position vacant.

The employee must return the signed contract within the time period set by the board, but in no event less than ten (10) calendar days from the date of delivery. In the event the board does not notify an individual as to how long he or she has to sign and return the contract, the default time limit will be twenty-one (21) calendar days after the contract is delivered to the person.



**LEGAL REFERENCE:**

Idaho Code Sections

- 33-513 – Professional Personnel
- 33-513A – Professional Personnel Contracts for 2012-2013 School Year
- 33-514 – Issuance of Annual Contracts – Support Programs – Categories of Contracts –  
Optional Placement
- 33-514A – Issuance of Limited Contract – Category 1 Contract
- 33-515 – Issuance of Renewable Contracts
- 33-515A – Supplemental Contracts
- 33-522 – Financial Emergency

**ADOPTED:** August 23, 2016

**AMENDED:**