

January 25, 1951.
Schools, Libraries, State
Educational Institutions.

House File 202
By BROOKINGS, BASS, DARRINGTON,
FREY and OBERMAN.

Passed House, Date

Vote: Ayes..... Nays.....

Passed Senate, Date.....

Vote: Ayes..... Nays.....

Approved

A BILL FOR

An Act to amend chapter two hundred seventy-nine point thirteen (279.13), Code 1950, relating to contracts of certificated school employees to provide for a preliminary hearing and discussion of causes for dissatisfaction before notice of termination of contract is given by a board of education to such employee.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Section two hundred seventy-nine point thirteen
2 (279.13), Code 1950, is hereby amended by striking all after the
3 period in line nineteen (19), of the second paragraph of said
4 section, and inserting in lieu thereof the following:

5 "A board of education shall not give notice of termination
6 of contract to a teacher unless preceded by a preliminary hearing
7 and discussion of the causes for dissatisfaction. Written
8 notification of such a hearing shall be given the teacher at
9 least ten days in advance of such a meeting and shall include a
10 specific statement of the cause for dissatisfaction. At least
11 two-thirds of the membership of the board of education, the
12 teacher, and any desired counsel or witness shall participate in
13 such hearing. The teacher may waive the right to such hearing if

14 he so desires. Upon the conclusion of the hearing the board shall
15 determine the question of continuance or discontinuance of the
16 contract by a roll-call vote entered in the minutes of the board.

17 "The term teacher as used in this law shall include all
18 certificated school employees, including superintendents.

19 "Nothing in this act shall invalidate the right of a school
20 board to extend a three-year contract to a superintendent as
21 provided in section two hundred seventy-nine point fourteen
22 (279.14), Code 1950."

EXPLANATION OF H. F. 202

The 49th General Assembly enacted the continuing contract law, under which teacher contracts are automatically continued unless notice of the termination of the contract is given either by the board of education or the teacher by a specified date. The 51st General Assembly amended this act by giving the teacher a right to a hearing before the board in case of termination of the contract by the board.

A meeting of school board and employee *before* notice of termination of a contract is sent, however, would seem to be much more worth while. Many times misunderstandings can be cleared up by a free discussion of the problem. But after notice of dismissal has been made and has become a matter of record and of public discussion, such a meeting is of limited value.

This bill provides for a preliminary hearing.