

1 HB314
2 127361-1
3 By Representative Fincher
4 RFD: Education Policy
5 First Read: 22-MAR-11

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8 SYNOPSIS: Under existing law, the Teacher Tenure Act
9 provides certain due process protections for public
10 school teachers.

11 This bill would redefine the procedure to be
12 followed for contract cancellation by a teacher.

13 This bill would also clarify procedures for
14 the reemployment of teachers.

15
16 A BILL
17 TO BE ENTITLED
18 AN ACT

19
20 Relating to the Teacher Tenure Act; to amend
21 Sections 16-24-11 and 16-24-12, Code of Alabama 1975, to
22 redefine the procedure to be followed for contract
23 cancellation by a teacher; and to clarify procedures for the
24 reemployment of teachers.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. Sections 16-24-11 and 16-24-12 of the
27 Code of Alabama 1975, are amended to read as follows:

1 "§16-24-11.

2 "No teacher, whether in continuing service status or
3 not, shall be permitted to cancel his or her contract during
4 the school term for which said contract is in effect, nor for
5 a period of ~~45~~ 30 calendar days previous to the beginning of
6 such school term, unless such cancellation is mutually agreed
7 upon; any such teacher shall be permitted to cancel his or her
8 contract at any other time by giving five days' written notice
9 to the employing board of education. Any teacher cancelling
10 his or her contract in any other manner than in this section
11 provided shall be deemed guilty of unprofessional conduct, and
12 the State Superintendent of Education is hereby authorized to
13 revoke or suspend the certificate of such teacher.

14 "§16-24-12.

15 "Any teacher in the public schools, whether in
16 continuing service status or not, shall be deemed offered
17 reemployment for the succeeding school year at the same salary
18 unless the employing board of education shall cause notice in
19 writing to be given ~~said the~~ teacher on or before the last day
20 of the term of the school in which the teacher is employed,
21 except in the first year of each legislative quadrennium the
22 written notice to the teacher shall be provided on or before
23 June 30; and such teacher shall be presumed to have accepted
24 such employment unless he or she shall notify the employing
25 board of education in writing to the contrary ~~on or before the~~
26 ~~fifteenth day of June~~ 30 calendar days before the first day of
27 the school term. The employing board of education shall not

1 cancel the contract of any teacher in continuing service
2 status, nor cause notice of nonemployment to be given to any
3 teacher whether in continuing service status or not except by
4 a vote of a majority of its members evidenced by the minute
5 entries of ~~said~~ the board made prior to or at the time of any
6 such action."

7 Section 2. This act shall become effective
8 immediately following its passage and approval by the
9 Governor, or its otherwise becoming law.