



General Assembly

## ***Substitute Bill No. 1371***

*January Session, 2025*



### ***AN ACT ESTABLISHING A JUST CAUSE STANDARD FOR TEACHER CONTRACT TERMINATIONS AND REQUIRING CONTRACT TERMINATION HEARINGS FOR TEACHERS THAT HAVE ATTAINED TENURE BE BEFORE A NEUTRAL HEARING OFFICER.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. Subsections (c) to (e) of section 10-151 of the general statutes  
2       are repealed and the following is substituted in lieu thereof (*Effective July*  
3       *1, 2025*):

4       (c) The contract of employment of a teacher who has not attained  
5       tenure may be terminated at any time with a showing of just cause for  
6       any of the reasons enumerated in subdivisions (1) to (6), inclusive, of  
7       subsection (d) of this section; otherwise the contract of such teacher shall  
8       be continued into the next school year unless such teacher receives  
9       written notice by May first in one school year that such contract will not  
10      be renewed for the following year. Upon the teacher's written request,  
11      not later than three calendar days after such teacher receives such notice  
12      of nonrenewal or termination, a notice of nonrenewal or termination  
13      shall be supplemented not later than four calendar days after receipt of  
14      the request by a statement of the reason or reasons for such nonrenewal  
15      or termination. Such teacher, upon written request filed with the board  
16      of education not later than ten calendar days after the receipt of notice  
17      of termination, or nonrenewal shall be entitled to a hearing, except as

18 provided in this subsection, (1) before the board, or (2) if indicated in  
19 such request and if designated by the board, before an impartial hearing  
20 officer chosen by the teacher and the superintendent in accordance with  
21 the provisions of subsection (d) of this section. Such hearing shall  
22 commence not later than fifteen calendar days after receipt of such  
23 request unless the parties mutually agree to an extension not to exceed  
24 fifteen calendar days. The impartial hearing officer or a subcommittee  
25 of the board of education, if the board of education designates a  
26 subcommittee of three or more board members to conduct hearings,  
27 shall submit written findings and recommendations to the board for  
28 final disposition. The teacher shall have the right to appear with counsel  
29 of the teacher's choice at the hearing. A teacher who has not attained  
30 tenure shall not be entitled to a hearing concerning nonrenewal if the  
31 reason for such nonrenewal is either elimination of position or loss of  
32 position to another teacher. [The board of education shall rescind a  
33 nonrenewal decision only if the board finds such decision to be arbitrary  
34 and capricious.] Any such teacher whose contract is terminated for the  
35 reasons enumerated in subdivisions (3) and (4) of subsection (d) of this  
36 section shall have the right to appeal in accordance with the provisions  
37 of subsection (e) of this section.

38 (d) The contract of employment of a teacher who has attained tenure  
39 shall be continued from school year to school year, except that it may be  
40 terminated at any time, with a showing of just cause, for one or more of  
41 the following reasons: (1) Inefficiency, incompetence or ineffectiveness,  
42 provided [, if a teacher is notified on or after July 1, 2014, that  
43 termination is under consideration due to incompetence or  
44 ineffectiveness,] the determination of incompetence or ineffectiveness is  
45 based on evaluation of the teacher using teacher evaluation guidelines  
46 established pursuant to section 10-151b; (2) insubordination against  
47 reasonable rules of the board of education; (3) moral misconduct; (4)  
48 disability, as shown by competent medical evidence; (5) elimination of  
49 the position to which the teacher was appointed or loss of a position to  
50 another teacher, if no other position exists to which such teacher may be  
51 appointed if qualified, provided such teacher, if qualified, shall be

52 appointed to a position held by a teacher who has not attained tenure,  
53 and provided further that determination of the individual contract or  
54 contracts of employment to be terminated shall be made in accordance  
55 with either (A) a provision for a layoff procedure agreed upon by the  
56 board of education and the exclusive employees' representative  
57 organization, or (B) in the absence of such agreement, a written policy  
58 of the board of education; or (6) other due and sufficient [cause] reasons.  
59 Nothing in this section or in any other section of the general statutes or  
60 of any special act shall preclude a board of education from making an  
61 agreement with an exclusive bargaining representative which contains  
62 a recall provision. Prior to terminating a contract, the superintendent  
63 shall give the teacher concerned a written notice that termination of such  
64 teacher's contract is under consideration and give such teacher a  
65 statement of the reasons for such consideration of termination. Not later  
66 than ten calendar days after receipt of written notice by the  
67 superintendent that contract termination is under consideration, such  
68 teacher may file with the local or regional board of education a written  
69 request for a hearing. [A board of education may designate a  
70 subcommittee of three or more board members to conduct hearings and  
71 submit written findings and recommendations to the board for final  
72 disposition in the case of teachers whose contracts are terminated.] Such  
73 hearing shall commence not later than fifteen calendar days after receipt  
74 of such request, unless the parties mutually agree to an extension [,] not  
75 to exceed fifteen calendar days, [(A) before the board of education or a  
76 subcommittee of the board, or (B) if indicated in such request or if  
77 designated by the board] before an impartial hearing officer chosen by  
78 the teacher and the superintendent. If the parties are unable to agree  
79 upon the choice of a hearing officer not later than five calendar days  
80 after the decision to use a hearing officer, the hearing officer shall be  
81 selected with the assistance of the American Arbitration Association  
82 using its expedited selection process and in accordance with its rules for  
83 selection of a neutral arbitrator in grievance arbitration. [If the hearing  
84 officer is not selected with the assistance of such association after five  
85 days, the hearing shall be held before the board of education or a  
86 subcommittee of the board.] When the reason for termination is

87 incompetence or ineffectiveness, the hearing shall [(i)] (A) address the  
88 question of whether the performance evaluation ratings of the teacher  
89 were determined in good faith in accordance with the program adopted  
90 by the local or regional board of education pursuant to section 10-151b  
91 and were reasonable in light of the evidence presented, and [(ii)] (B) be  
92 limited to twelve total hours of evidence and testimony, with each side  
93 allowed not more than six hours to present evidence and testimony  
94 except the [board, subcommittee of the board or] impartial hearing  
95 officer may extend the time period for evidence and testimony at the  
96 hearing when good cause is shown. Not later than forty-five calendar  
97 days after receipt of the request for a hearing, the [subcommittee of the  
98 board or] hearing officer, unless the parties mutually agree to an  
99 extension not to exceed fifteen calendar days, shall [submit written  
100 findings and a recommendation to the board of education as to the  
101 disposition of the charges against the teacher and shall send a copy of  
102 such findings and recommendation to the teacher. The board of  
103 education shall give the teacher concerned its written decision not later  
104 than fifteen calendar days after receipt of the written recommendation  
105 of the subcommittee or hearing officer] render to the board of education  
106 and the teacher a written decision that shall be binding on the parties.  
107 Each party shall share equally the fee of the hearing officer and all other  
108 costs incidental to the hearing. [If the hearing is before the board of  
109 education, the board shall render its decision not later than fifteen  
110 calendar days after the close of such hearing and shall send a copy of its  
111 decision to the teacher.] The hearing shall be public if the teacher so  
112 requests, [or the board, subcommittee or hearing officer so designates.]  
113 The teacher concerned shall have the right to appear with counsel at the  
114 hearing, whether public or private. A copy of a transcript of the  
115 proceedings of the hearing [shall be furnished by the board of education,  
116 upon written request by the teacher within fifteen days after the board's  
117 decision, provided the teacher shall assume the cost of any such copy]  
118 may be requested by either the board of education or the teacher not  
119 later than fifteen days after the hearing officer's decision, provided the  
120 requesting party shall bear the cost of any such copy. Nothing [herein]  
121 contained in this section shall deprive a board of education or

122 superintendent of the power to suspend a teacher from duty  
123 immediately when serious misconduct is charged without prejudice to  
124 the rights of the teacher as otherwise provided in this section.

125 (e) Any teacher aggrieved by the decision of a board of education or  
126 the hearing officer after a hearing as provided in subsection (d) of this  
127 section may appeal therefrom, not later than thirty calendar days after  
128 such decision, to the Superior Court. Such appeal shall be made  
129 returnable to said court in the same manner as is prescribed for civil  
130 actions brought to said court. Any such appeal shall be a privileged case  
131 to be heard by the court as soon after the return day as is practicable.  
132 The board of education or hearing officer shall file with the court a copy  
133 of the complete transcript of the proceedings of the hearing and, for a  
134 teacher who has not attained tenure, the board of education shall file the  
135 minutes of board of education meetings relating to such termination,  
136 including the vote of the board on the termination, together with such  
137 other documents, or certified copies thereof, as shall constitute the  
138 record of the case. The court, upon such appeal, shall review the  
139 proceedings of such hearing. The court, upon such appeal and hearing  
140 thereon, may affirm or reverse the decision appealed from in accordance  
141 with subsection (j) of section 4-183. Costs shall not be allowed against  
142 the board of education unless it appears to the court that it acted with  
143 gross negligence or in bad faith or with malice in making the decision  
144 appealed from.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2025	10-151(c) to (e)

**LAB**      *Joint Favorable Subst.*

**APP**      *Joint Favorable*