
OLR Bill Analysis

sSB 1371

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.

SUMMARY

This bill requires a showing of just cause when a nontenured or tenured public school teacher is terminated for the reasons allowed by existing law (i.e. inefficiency, incompetence, insubordination, moral misconduct, disability, elimination of a position to another teacher, or other due and sufficient reasons). The current law allows for termination for one of the above reasons without any specified showing.

The bill does not define just cause. In general, however, “just cause” is a concept developed in case law that involves a termination for employee misconduct that is so serious that it (1) violates an essential condition of employment, (2) breaches the trust or faith inherent in the working relationship, or (3) is fundamentally or directly inconsistent with the employee’s obligations to the employer. It may also involve certain due process-related considerations leading up to the termination.

The bill also changes who makes the final decision when a tenured teacher is under consideration for termination and requests a hearing. Current law generally allows such a teacher to request a hearing before either a board of education (BOE) subcommittee or an impartial hearing officer. The bill eliminates the option for the hearing before a BOE subcommittee. Under current law, the subcommittee or hearing officer must submit its findings and a recommendation to the BOE, which then makes a final decision on the termination. The bill instead requires the hearing officer to make the final decision, and makes it binding on the parties. By law, the teacher and the superintendent jointly select the

impartial hearing officer. If they are not able to agree, the officer must be selected with the help of the American Arbitration Association using its expedited selection process and rules for selecting a neutral arbitrator.

Existing law, unchanged by the bill, similarly allows a nontenured teacher whose contract is not being renewed to request a hearing before either a BOE subcommittee or an impartial hearing officer, which must then submit findings and recommendations to the BOE for final disposition. Current law only allows a BOE to rescind a nonrenewal decision if it finds that it was arbitrary and capricious. The bill removes this limitation, giving the BOE greater discretion over when to rescind a nonrenewal decision.

The bill also makes various minor and conforming changes, such as allowing a BOE or teacher to request a hearing transcript (current law allows a teacher to request it from the BOE) and requiring the requesting party to pay for the transcript.

EFFECTIVE DATE: July 1, 2025

COMMITTEE ACTION

Labor and Public Employees Committee

Joint Favorable Substitute

Yea 9 Nay 4 (03/13/2025)