

**279.15 Notice of termination — request for hearing.**

1. The superintendent or the superintendent's designee shall notify the teacher not later than April 30 that the superintendent will recommend in writing to the board at a regular or special meeting of the board, held not later than May 15, that the teacher's continuing contract be terminated effective at the end of the current school year. However, if the district is subject to reorganization under [chapter 275](#), the notification shall not occur until after the first organizational meeting of the board of the newly formed district.

2. a. Notification of recommendation of termination of a teacher's contract shall be in writing and shall be personally delivered to the teacher, or mailed by certified mail. The notification shall be complete when received by the teacher. The notification and the recommendation to terminate shall contain a short and plain statement of the reasons, which shall be for just cause, why the recommendation is being made. The notification shall be given at or before the time the recommendation is given to the board.

b. As a part of the termination proceedings, the teacher's complete personnel file of employment by that board shall be available to the teacher, which file shall contain a record of all periodic evaluations between the teacher and appropriate supervisors.

c. Within five days of the receipt of the written notice that the superintendent is recommending termination of the contract, the teacher may request, in writing to the secretary of the board, a private hearing with the board. The private hearing shall not be subject to [chapter 21](#) and shall be held no sooner than twenty days and no later than forty days following the receipt of the request unless the parties otherwise agree. The secretary of the board shall notify the teacher in writing of the date, time, and location of the private hearing, and at least ten days before the hearing shall also furnish to the teacher any documentation which may be presented to the board at the private hearing and a list of persons who may address the board in support of the superintendent's recommendation at the private hearing. At least seven days before the hearing, the teacher shall provide any documentation the teacher expects to present at the private hearing, along with the names of any persons who may address the board on behalf of the teacher. This exchange of information shall be at the time specified unless otherwise agreed.

[R60, §2055; C73, §1757; C97, §2778; SS15, §2778; C24, 27, 31, 35, 39, §4229; C46, 50, 54, 58, 62, 66, 71, 73, 75, §279.13; C77, 79, 81, §279.15]

[86 Acts, ch 1239, §4](#); [91 Acts, ch 174, §7](#); [92 Acts, ch 1227, §18](#); [2010 Acts, ch 1061, §180](#); [2017 Acts, ch 2, §31, 48, 49](#)

Referred to in [§260C.39](#), [§262.9](#), [§272.15](#), [§273.22](#), [§275.33](#), [§279.13](#), [§279.16](#), [§279.19](#), [§279.19B](#), [§279.27](#), [§284.8](#)

For provisions relating to applicability of 2017 amendment to employment contracts of school employees under this chapter and collective bargaining agreements and procedures under chapter 20 before, on, or after February 17, 2017, see 2017 Acts, ch 2, §48, 49

Subsection 2, paragraph c amended