

**SUSPENSION, DISMISSAL
AND NONREEMPLOYMENT OF ADMINISTRATORS**

1. Definitions and Scope

- A. “Administrator” means a duly certified person who devotes a majority of time to service as a superintendent, principal, supervisor, vice principal or in any other administrative or supervisory capacity in the technology center (OKLA. STAT. tit. 70, § 6-101.3)
- B. “Dismissal” means the discontinuance of the services of an administrator during the term of a written contract.
- C. “Nonreemployment” means the nonrenewal of an administrator’s contract upon expiration of the contract.
- D. “Suspension” means the temporary discontinuance of an administrator’s services during the term of a contract pending dismissal or nonreemployment.

2. Procedures for Dismissal or Nonreemployment

A. Commencement of Action

- i. Whenever the superintendent determines that cause exists for an administrator’s dismissal, nonreemployment, or demotion, the superintendent shall submit a written recommendation to the board of education. The recommendation shall state the proposed action, the reasons for effecting the action, and his/her right to request a hearing before the board of education.
- ii. In the absence of a recommendation from the superintendent pursuant to this section, or when the board of education chooses not to accept the superintendent’s recommendation as to reemployment of an administrator, the board may initiate dismissal, nonreemployment, or demotion action without a recommendation, provided that it adheres to the other provisions of this policy.

B. Suspension

Whenever the superintendent or the board of education believes cause exists for an administrator’s dismissal and that the immediate suspension of the administrator would be in the best interests of the children in the district, the board of education or superintendent may suspend the administrator without

notice or hearing. The suspension shall not deprive the administrator of any compensation or other benefits, excluding extra duty compensation, to which he/she would otherwise be entitled under a contract or law. Within ten (10) days after the suspension becomes effective, the board of education shall initiate a hearing for dismissal or demotion pursuant to this policy. However, in a case involving a criminal charge or indictment, such suspension may extend to such time as the administrator's case is finally adjudicated, except such extension shall not include any appeal process.

C. Notice and Hearing

- i. Prior to taking action to dismiss, nonreemploy, or demote an administrator, the board clerk, or designee shall deliver a copy of the recommendation (or comparable statement of the reasons affecting the action if the board is acting on its own volition) and notice of his/her right to request a hearing before the board of education.
- ii. The administrator shall have 10 days to request a hearing before the board of education. Failure to request a hearing within this time frame shall constitute a waiver of the right to a hearing.
- iii. The hearing shall commence with a statement to the administrator of the administrator's rights at the hearing. Following this statement, the school administration or a designee for the board of education shall present facts showing the cause for the administrator's dismissal, nonreemployment, or demotion. The administrator shall then have the right to present their side of the matter. After both parties have fully presented their respective positions, the board of education shall deliberate on the evidence regarding the administrator's dismissal, nonreemployment, or demotion in executive session.
- iv. At the hearing, the administrator shall be entitled to be represented by counsel, and to present witnesses and cross-examine any witnesses presented by the other side. The burden of proof for any dismissal, nonreemployment, or demotion shall be on the superintendent (or designee), and the standard of proof shall be a preponderance of the evidence.
- v. After due consideration of the evidence and testimony presented at the hearing, the board shall vote, in open session, on the following: (1) findings of fact based on the evidence submitted and (2) whether to dismiss, nonreemploy, or demote the administrator. The decision shall be made by a majority of the board of education members present at the meeting and shall be final and nonappealable.
- vi. The administrator shall be sent notice of the board's decision by certified mail, restricted delivery, return receipt requested, or substitute process.

D. Criminal Matters

Whenever the superintendent (or board) makes a recommendation for a administrator's termination based on conduct which could form the basis of criminal charges sufficient to warrant the denial or revocation of the administrator's certificate for a reason set forth in OKLA. STAT. TIT. 70, § 3-104(6)(a), the technology center shall forward a copy of the recommendation to the State Board of Education and the administrator at the time the recommendation is made regardless of whether the administrator resigns before or after the recommendation is made. A report of such resignation, including any investigatory findings of the technology center, shall be forwarded to the State Board of Education.

Reference: OKLA. STAT. tit. 70, §§ 6-101.25; 70, 6-101.14, 6-101.13