

Procedures and Deadlines for Non-Renewal of Administrator Contracts

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At times school boards may wish to remove an administrator from the administrative position — an action referred to as a nonrenewal. This column will explain the due process procedures that must be followed under Indiana law for nonrenewal of administrator contracts. It is important to note that nonrenewal does not terminate the administrator’s employment with the school corporation. Rather, nonrenewal removes the employee from the current administrative position at the end of the contract and allows the school board to reassign the individual to another position for which the employee is certified.

Superintendent

The school board must vote in a public meeting to nonrenew a superintendent’s contract. This vote must take place no later than December of the year before the contract expires. The board or an attorney acting at the direction of the board must give formal written notice of nonrenewal to the superintendent, which must be delivered in person or by registered mail, on or before January 1 of the year in which the contract expires. [IC 20-28-8-7\(3\)](#)

Assistant Superintendent, Principal, and Assistant Principal

For an assistant superintendent, principal, or assistant principal, the board must vote at a public meeting to give written preliminary notice to the administrator that it is considering nonrenewal. The written preliminary notice must be delivered to the administrator by the board or by an employee, generally the superintendent, acting at the direction of the board. The written preliminary notice must be given at least 30 days before the written notice of nonrenewal.

The actual vote and delivery of written notice of nonrenewal must occur before March 1 of the year in which the contract is to expire. To meet this timeline, the school board should initiate nonrenewal in December before the year the contract expires or in January of the year the contract expires. The preliminary notice must state the reasons for consideration of nonrenewal and advise the administrator of the right to a private conference with the superintendent. The administrator has five days after receipt of the preliminary notice to request a private conference. There is no statutory time frame in which to hold the conference. After the conference with the superintendent, the administrator may request a private conference with the school board. This request must be made within five days of the conference with the superintendent. The conference with the board and the board vote for nonrenewal must be held prior to the issuance of the notice of nonrenewal, thus any conference with the board should take place in January or early February. [IC 20-28-8-3](#)

Director of Special Education

The vote and receipt of the written notice of nonrenewal must occur before February 1 of the year the contract expires. To meet this timeline, the nonrenewal process should be initiated in November or December of the year before the director’s contract expires. [IC 20-28-8-11](#)