

First Reading of Revised Policy 405.3 Licensed Employee Individual Contracts

Background:

Teaching contracts are between a school board and an individual teacher. As such the board president signs contracts. Our policy 405.3 reads as follows:

Code No. 405.3

LICENSED EMPLOYEE INDIVIDUAL CONTRACTS

The board will enter into a written contract with licensed employees, other than administrators, employed on a regular basis. Each contract will be for a period of one year.

It is the responsibility of the superintendent to complete the contracts for licensed employees and present them to the board for approval. **The contracts, after being signed by the board president, are returned to the superintendent.** The superintendent will obtain the employee's signature. After being signed, the contract is filed with the board secretary.

This is consistent with state statute.

Options and/or Alternatives:

However, Iowa Code 279.13 also allows the option for the superintendent to sign teacher contracts in lieu of the board president if the school board puts such a policy in place. The law states:

“The [teacher] contract shall be signed by the president of the board, or by the superintendent if the board has adopted a policy authorizing the superintendent to sign teaching contracts”.

Recommended Action:

In this time of teacher shortage, when it is expedient to hire teaching recruits as quickly as possible, it may be prudent to adopt a policy allowing the superintendent to sign teaching contracts. A possible revision of policy 405.3 appears on the next page.

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The superintendent shall have the authority to sign individual teaching contracts in lieu of the board president. This authority to be reviewed on an annual basis.

Legal Reference: *Harris v. Manning Independent School District of Manning, 245 Iowa 1295, 66 N.W.2d 438 (1954).*
 Shackelford v. District Township of Beaver, Polk County, 203 Iowa 243, 212 N.W. 467 (1927).
 Burkhead v. Independent School District of Independence, 107 Iowa 29, 77 N.W. 491 (1898).
 Iowa Code chs. 20; 279.

Cross Reference: 405.2 Licensed Employee Qualifications, Recruitment, Selection
 405.4 Licensed Employee Continuing Contracts
 407 Licensed Employee Termination of Employment

Date of Adoption: 09-21-1988 Reviewed: 03-21-2019 Revised: 05-10-2007