



STATE OF CONNECTICUT
STATE BOARD OF EDUCATION



TO: Superintendents of Schools

FROM: Dr. Miguel A. Cardona, Commissioner of Education 

DATE: April 15, 2020

SUBJECT: Temporary Flexibilities for Termination Processes – 45 Day Extension to Hearing Timeline

Recently, you received guidance concerning notice and timing flexibilities for teacher nonrenewals and tenure under Section 10-151 of the Connecticut General Statutes (C.G.S.). Those flexibilities were authorized pursuant to Governor Ned Lamont's Executive Orders 7C and 7M and, in part, address circumstances where conducting in-person meetings or hearings would be in conflict with the social distancing recommendations for protection of public health. Similarly, this additional guidance is provided pursuant to Executive Order 7C and 7M to extend timeframes for termination proceedings involving tenured teachers for 45 calendar days.

Boards of education and their staff must have sufficient opportunity to preserve due process entitlements and make informed employment decisions during the disruption caused by the COVID-19 pandemic. Superintendents will continue to address difficult employment decisions during the pandemic. While C.G.S. Section 10-151(d) establishes the procedure for terminating a tenured teacher's employment, Executive Orders 7C and 7M recognize that public health and civil preparedness emergencies necessitate certain adjustments to these statutory requirements.

If a local or regional board of education elects to pursue a termination during the disruption of classes, the board may communicate notice to the teacher that it is considering termination via email in a manner consistent with this guidance.¹ As usual, teachers may request a hearing within 10 days of receiving such notice and may do so via email to both the Superintendent and the Board chairperson. Social distancing and safety protocols mandated through the Governor's Executive Orders may make the typical hearing process impossible. Accordingly, in those cases where a teacher requests a hearing and for currently pending termination hearings, the board shall extend all state statutory and regulatory time requirements related to the termination hearing by 45 calendar days, pursuant to Executive Order 7M. This extension does not preclude the parties from reaching a resolution via stipulation.

This guidance officially modifies the provisions of C.G.S. Section 10-151(d) to extend the hearing process timelines by 45 calendar days. Additional guidance will be issued to further adjust the timelines as necessary during the pandemic.

If you have questions, please feel free to contact Jessa Mirtle, Legal Director, at Jessa.Mirtle@ct.gov.

cc: Ms. Charlene Russell-Tucker, Deputy Commissioner of Education
Dr. Shuana Tucker, Chief Talent Officer
Mr. Christopher Todd, Bureau Chief, Talent Office
Ms. Fran Rabinowitz, Executive Director, CAPSS

¹ Written notification that the Board is considering termination is deemed received if sent by email to the teacher's district email address and the teacher's bargaining unit representative's email address.