

60602 Statutory Rights of Teaching Faculty

The following statements from the Nebraska Revised Statutes pertain to termination of employment of teaching faculty in Nebraska technical community colleges:

Section 79-1254.02. "The contracts of the teaching staff employed by the governing board of any state technical community college, shall require the sanction of a majority of the members of such governing board. Except as provided in section 79-1254.09, each such contract shall be deemed renewed and in force and effect until a majority of the board votes, sixty days before the close of the contract period, to amend or terminate the contract for just cause. The secretary of the Board shall notify each teacher in writing at least ninety days before the close of the contract period of any conditions of unsatisfactory performance or a reduction in teaching staff that the board considers may be just cause to either amend or terminate the contract for the ensuing year. Any teacher * * so notified shall have the right to file within five days of receipt of such notice a written request with the board for a hearing before the board. Upon receipt of such request, the board shall order the hearing to be held within ten days, and shall give written notice of the time and place of the hearing to the teacher. At the hearing, evidence shall be presented in support of the reasons given for considering amendment or termination of the contract, and the teacher shall be permitted to produce evidence related thereto. The board shall render the decision to amend or terminate a contract based on the evidence produced at the hearing." (Amended 9/1/82)

Section 79-1254.09."Any contract of employment entered into after July 1, 1980, between the teaching staff and a technical community college area, which applies to the first two years of the employment of such teaching staff, shall provide that the first two years of the employment of such teacher are a probationary period."
"Any such contract may be terminated during the probationary period without cause."
(Amended 7/10/84)

The term "just cause" as used in the foregoing statutes means incompetency, neglect of duty, unprofessional conduct, insubordination, immorality, physical or mental incapacity, other conduct which interferes substantially with the continued performance of duties or a change in circumstance necessitating a reduction in the number of staff.

(Amended 7/22/80; 11/24/87)