
Non-Renewal of Administrator Contracts

By Marshall W. Grate / Feb 23, 2016

The deadlines are approaching for non-renewal of administrative contracts. Administrator contracts are governed by Section 1229 of the School Code, MCL 380.1229, which contains two crucial deadlines for non-renewing an administrator's contract. The statute requires written notice of non-renewal of an administrative contract at least 60 days before the termination date of the contract, which typically is June 30. In addition, before the 60 days' notice, the board of education is required to provide at least 30 days' advance notice to the administrator that the board is considering non-renewal together with a written statement of the reasons, which cannot be arbitrary or capricious. If these deadlines are not followed, then the contract is automatically renewed for an additional one year period.

Assuming that the administrative contract expires June 30, 2016, in order to satisfy the 60 day notice requirement, the board of education must enact a resolution of non-renewal and ensure delivery to the administrator on or before April 29, 2016.

The 30 days' advance notice that the board is considering non-renewal should be sent and received by the administrator on or before April 1, 2016. Typically, a letter should be sent to the administrator advising that the board is going to consider non-renewal of his or her contract at a designated April board meeting. After issuance of this written statement, the affected administrator must be given an opportunity to meet with not less than a majority of the board to discuss the reasons for non-renewing his or her contract.

If you have questions regarding non-renewal of an administrator's contract, please contact your Clark Hill education law attorney.