

**SB 2914 (as amended): Notice to Remedy: Remove/Dismiss Teachers (Loughran-Cappel) (House  
Sponsor, Anna Moeller)  
SUPPORT**

## **Background**

School Boards must provide a tenured teacher with “a reasonable warning, in writing, stating specifically the causes that if not removed, may result in charges” prior to dismissing that tenured teacher for **remediable** causes, or actions which can be corrected. The “reasonable warning” required is often referred to as a “Notice of Remedial Warning” or “Notice to Remedy” letter.

## **Issues**

Current statute does not provide any parameters or guidelines on the “Notice of Remedial Warning” process. Teachers are issued Notice to Remedy letters absent of “just cause” (i.e., proof of a legitimate reason to take disciplinary action) and without an authentic ability to challenge, present a case against the action or defend themselves against the action. Inconsistent practices exist statewide for management-controlled access to the local school board. No avenue currently exists for nonbiased due process. Letters are often written with vague and broad terminology creating impossible standards rather than specific behavior to be corrected. The goals and objectives included in the remedial warnings are not measurable or obtainable making teacher success unachievable.

A reasonable approach to a warning for actions deemed “remedial” would include: (1) a right to challenge issuance of the notice, applying a fair due process standard that includes the board but also allows for the facts to be reviewed by a nonbiased third party if necessary. (2) limits on the applicable scope of the warning

## **Rationale for Support**

This bill resolves the identified issues by clarifying current language in the law to ensure appropriate due process and the fair treatment of teachers. These documents are, by definition, warnings to be used in instances that should be remedied. This bill requires remedial behavior to be specified in the written warning to ensure proper remediation occurs. The bill creates a system by which Letters of Remedial Warning are issued and implemented as the original statute intended.