

ORANGE COUNTY
BOARD OF EDUCATION

AGENDA ITEM ABSTRACT

Meeting Date: May 28, 2014

AGENDA ITEM No. 14-05-(2)-10

ACTION ITEM: (Y/N) N

SUBJECT: Career Status Litigation

INFO. CONTACT: Jonathan Blumberg / Dr. Del Burns PHONE: 919-732-8126

ATTACHMENTS: None.

PURPOSE: The Board Attorney will update the Board on two pending lawsuits challenging the elimination of career status for teachers and the requirement that school districts offer four-year contracts to 25% of eligible teachers, and provide recommendations pending further developments in both cases.

BACKGROUND: One of the lawsuits was filed in Guilford County by the Guilford and Durham Boards of Education. This lawsuit specifically sought a ruling that the 25% mandate is unconstitutional. The other lawsuit was filed in Wake County by NCAE and a group of teachers. This lawsuit sought a ruling that the Excellent Public Schools Act of 2013 ("EPSA") is unconstitutional insofar as it eliminates career status for: (1) teachers who have already attained career status, and (2) teachers who were in the pipeline to attain career status at the time the law was passed.

In both cases, Judges have taken action which will be shared by the Board Attorney, with explanation as to the consequences for school districts.

FINANCIAL IMPACT: None at this time.

RECOMMENDATION(S): The Superintendent recommends the Board of Education accept the report as information.