

**PROFESSIONAL EMPLOYEES:  
DEMOTION AND DISMISSAL**

*Policy Code:* **7930**

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1 The [Transylvania County Board of Education](#) (the “board”) recognizes that an effective  
2 professional staff is critical to the smooth operations of the school system and to creating a  
3 learning environment where students are able to succeed. When a licensed employee is unable  
4 or unwilling to meet performance expectations, the supervisor and superintendent should  
5 consider whether dismissal or demotion is appropriate.  
6

7 Evaluators of licensed employees are expected to follow policy 7810, Evaluation of Licensed  
8 Employees, policy 7820, Personnel Files, and policy 7811, Plans for Growth and Improvement  
9 of Licensed Employees. Evaluators should provide the superintendent with carefully  
10 documented evidence concerning a person’s inadequacies and lack of competencies when such  
11 deficiencies have led to the recommendation and contemplation of dismissal or demotion. These  
12 documents also should show ways in which the evaluator has endeavored to help the employee  
13 become a more effective professional. In the interest of students and the welfare of the school  
14 system, dismissal or demotion may be pursued regardless of whether the evaluator has met these  
15 expectations and regardless of whether the employee has first been placed on a growth plan or  
16 mandatory improvement plan, so long as the legal grounds for seeking dismissal or demotion can  
17 be sufficiently demonstrated.  
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19 All legally required procedures, including those prescribed in the applicable state law, will be  
20 followed in the dismissal or demotion of employees. Career status teachers, non-career status  
21 teachers during the terms of their contracts, and school administrators during the terms of their  
22 contracts may be dismissed only for the following reasons:  
23

- 24 1. inadequate performance, as defined by the applicable state statute;
- 25 2. immorality;
- 26 27 3. insubordination;
- 28 29 4. neglect of duty;
- 30 31 5. physical or mental incapacity;
- 32 33 6. habitual or excessive use of alcohol or non-medical use of a controlled substance as  
34 defined in Article 5, Chapter 90 of the General Statutes;
- 35 36 7. conviction of a felony or a crime involving moral turpitude;
- 37 38 8. advocating the overthrow of the government of the United States or of the state of North  
39 Carolina by force, violence, or other unlawful means;
- 40 41 9. failure to fulfill the duties and responsibilities imposed upon teachers or school  
42 administrators by the General Statutes;
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45 10. failure to comply with such reasonable requirements as the board may prescribe;  
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47 11. any cause that constitutes grounds for the revocation of an employee’s teaching or school  
48 administrator license;  
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50 12. a justifiable decrease in the number of positions due to school system reorganization,  
51 decreased enrollment, or decreased funding, provided that there is full compliance with  
52 other statutory requirements;  
53  
54 13. failure to maintain one’s license in current status;  
55  
56 14. failure to repay money owed to the state in accordance with the provisions of Article 60,  
57 Chapter 143 of the General Statutes; and  
58  
59 15. providing false information or knowingly omitting a material fact on an application for  
60 employment or in response to a pre-employment inquiry.  
61

62 Resignation by a teacher who has been recommended for dismissal under the applicable state  
63 statute is subject to the provisions of policy 7900, Resignation.  
64

65 Legal References: G.S. 90 art. 5; 115C-287.1, -307, -325 (applicable to career status teachers),  
66 -325.1 *et seq.* (applicable to non-career status teachers), -333, -333.1; 143 art. 60; 16 N.C.A.C.  
67 6C .0502  
68

69 Cross References: Professional and Staff Development (policy 1610/7800), Staff Responsibilities  
70 (policy 7300), Job Descriptions (policy 7400), Evaluation of Licensed Employees (policy 7810),  
71 Plans for Growth and Improvement of Licensed Employees (policy 7811), Personnel Files  
72 (policy 7820), Resignation (policy 7900), Non-Career Status Teachers: Nonrenewal (policy  
73 7950)  
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75 Adopted:  
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