

Certificated Personnel

Dismissal

Dismissal of Permanent Employees

Permanent employees shall not be deprived of their position except when cause for the dismissal can be shown. Cause and dismissal procedures are provided in law. (Education Code 44932 et seq)

Dismissal of Probationary Employees

During the school year, teachers who are first and second year probationary employees, including district interns and teacher trainees in their first, second or third year, may be dismissed for cause or unsatisfactory performance (Education Codes 44660-44665) Procedures and time limits for such action shall be those set forth in law. (Education Code 44948.3)

Decision Not to Rehire

The Board may decide not to rehire a probationary employee at the end of his/her first year and give written notice of its decision to the employee at any time during the year. If the Board does not give written notice, the employee shall be rehired for the following year. (Education Code 44929.21)

The Board may decide not to rehire a probationary employee at the end of his/her second consecutive year and give written notice to the employee on or before March 15. If the Board does not give written notice on or before March 15, the employee shall be rehired for the following year. (Education Code 44929.21)

The Board may also decide not to rehire a district intern or teacher trainee at the end of his/her first, second or third consecutive year. Written notice to the employee may be given at any time during the year except during the employee's last year as an intern, when notice must be given on or before March 15. If the Board does not give written notice, the employee shall be rehired as a probationary employee for the following year. (Education Codes 44929.1, 44885.5)

(cf. 4116 - Probationary/Permanent Status)

Dismissal of Substitute Employees

Substitute employees may be dismissed at any time, subject to their reemployment rights under Education Code 44918. (Education Code 44953)

Legal Reference: (See next page)

Dismissal (continued)

Legal References:

EDUCATION CODE

44918 Substitute or temporary employee; reemployment rights

44929.21 Districts with 250 ADA or more; notice of reelection decision.

44932 et seq. Suspension and/or dismissal of permanent employees

44948 Dismissal or suspension of probationary employees during school year

44948.3 Re dismissal of probationary employees (over 250 ADA)

44948.5 Re dismissal of probationary employees (under 250 ADA)

44953 Dismissal of substitute employees

GOVERNMENT CODE

3543.2 Scope of representation (re duty of district to meet and negotiate regarding causes and procedures for discipline less than dismissal)