

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 (districts of more than 250 ADA)

During the school year, teachers who are first and second year probationary employees, including district interns in their first, or second 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)

Dismissal of Substitute Employees

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

All Personnel

Great care will be exercised so that the personnel record of any employee dismissed for reasons other than violation of one or more of the causes listed in Education Code sections 44932 and 44933 will show that the employee was dismissed without prejudice.

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)*