

DISMISSAL

A. Purpose and Scope

To provide guidance and direction for District personnel regarding the dismissal of certificated permanent, probationary, and temporary employees.

B. General

Permanent Employees

Permanent employees shall not be deprived of their position except when cause for the dismissal can be shown.

Probationary Employees

First and second year (non-reelected) probationary employees may be terminated at the end of the school year, except that in the case of second year probationary teachers, notice of termination (non-reelection) shall be given to the employee prior to March 15.

During the school year, certificated probationary employees may be dismissed for causes specified in Education Code 44932 or for unsatisfactory performance determined pursuant to Education Code 44660-44665.

Temporary Employees

The Governing Board may release temporary employees requiring certification qualifications pursuant to Education Code 44954.

C. Forms Used and Additional References

None

D. Procedure

1. Permanent Employees - Cause and procedures for dismissal are defined by provisions of Education Code 44932 et seq.
2. Probationary Employees - Procedures and time limits for such action shall be those set forth in Education Code 44948.3.
3. Temporary Employees - The School District Governing Board may release temporary employees requiring certification qualifications under the following circumstances:

DISMISSAL (Continued)

- a. At the pleasure of the Board prior to serving during one school year at least 75 percent of the number of days the regular schools of the District are maintained.
- b. After serving during one school year the number of days set forth in subdivision a, if the employee is notified before the end of the year of the District’s decision not to reelect the employee for the next succeeding year.

E. Reports Required

None

F. Record Retention

Personnel file

G. Responsible Administrative Unit

Human Resources

H. Approved By

Associate Superintendent for Human Resources

Legal References:

EDUCATION CODE

44660-44665	Evaluation and assessment of performance
44842	Automatic declining of employment
44918	Substitute or temporary employee; reemployment rights
44929.21	districts with 250 ADA or more; notice of reelection decision
44932-44947	Suspension and/or dismissal of permanent employees
44948	Dismissal or suspension of employees during the school year
44948.2	Election to use provisions of 44948.3
44948.3	Dismissal of probationary employees (over 250 ADA)
44949	Cause, notice and right to hearing for dismissal
44953	Dismissal of substitute employees

DISMISSAL (Continued)

44954	Dismissal of Temporary Employees
44955	Reduction in number of permanent 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)
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