

# PLEASANTON UNIFIED SCHOOL DISTRICT

## Release of Temporary and Probationary Certificated Staff Frequently Asked Questions

### **What is the difference between a temporary employee and a probationary employee?**

- **Temporary** employees work for the District until the end-date listed on their contract (usually 1 year).
- **Probationary** teachers are continuing employees hired into a vacant position. Probationary teachers are classified as Probationary 1 in their first year of employment and Probationary 2 in their second consecutive year of employment. Probationary teachers must serve two consecutive years, for at least 75% of the year to earn Permanent Status.

### **If I am a temporary or probationary employee and I am told I am going to be released from PUSD employment, what are my due process rights?**

Under California law, individuals classified as a Temporary, Probationary 1, and Probationary 2 teacher do not have due process rights and can be released without cause.

## TEMPORARY TEACHERS

### **I am a temporary teacher. What does that mean?**

The Education Code allows districts to hire a number of temporary teachers to match the number of teachers on leave or on special assignment, as well as the number of teachers in positions paid for by one-time funds or categorical money (money designated to a specific program).

### **If I have been released as a temporary teacher, what are my rights?**

California Education Code does not give temporary teachers due process rights and the layoff process does not cover temporary teachers. Temporary teachers are considered "at will" employees and can be released with written notification from the employer.

### **Do I have any rights to be rehired?**

Temporary teachers have no legal rights to be rehired, but you may indicate to PUSD that you are interested in reemployment with the District. If there is ultimately a vacancy for which you are qualified, you may be considered for rehire.

### **Does my release mean that PUSD doesn't think I am a good teacher?**

Not necessarily; PUSD routinely releases all teachers on a temporary contract.

### **If I work in PUSD next year, does my temporary service this year count toward becoming permanent?**

If you work more than 75% of the days of the school year, your temporary service can count towards becoming permanent if you are rehired by PUSD on a Probationary 2 contract for the following year. Only one year of temporary service can count toward the two year probationary requirement to become permanent.

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## PROBATIONARY TEACHERS

### **What is a non-renewal notice (non-reelect), and when can one be issued?**

If you receive a non-renewal notice, this means your contract will not be renewed the following year.

- First year probationary teachers may be given notice of non-renewal effective at the end of the school year at any time without any statement of reasons or hearing.
- Second year probationary teachers in districts of 250 ADA or more may be given notice of non-renewal effective at the end of the school year, at any time before March 15 of the second year, without any statement of reasons of hearing (CA Education Code 44929.21).

### **If I had a positive evaluation or if my evaluation was not done properly can I still be released?**

Yes. School districts have complete discretion to release teachers who have not yet earned permanent status.

### **I've been told I have the option to resign, but if I don't, I will be non-reelected. What does that mean?**

Names of teachers who opt not to resign will be placed on a resolution to the PUSD School Board for approval to be non-re-elected, which means the District decided not to renew your employment contract for next school year. (In some districts you are asked on employment applications if you have ever been non-reelected in a previous district.)

### **Do potential future employers have access to my PUSD personnel file?**

No, they do not.

### **What happens to my sick leave if I resign or if I am non-reelected?**

If you are employed in another California K-12 school district within 12 months, your accrued sick leave is transferred to your new district. When you retire under STRS, all unused sick leave contributes to your retirement.