

**Policy 4116 Probationary/Permanent Status**

**Status: ADOPTED**

**Original Adopted Date:** 02/1991

**Last Revised Date:** 06/26/2024

The Governing Board desires to employ and retain highly qualified certificated personnel to implement the district's educational program. Newly hired certificated personnel shall serve a probationary period during which the Board shall determine their suitability for long-term district employment.

Certificated employees who satisfactorily complete the probationary period shall be granted permanent status.

A probationary employee who has been employed by the district in position(s) requiring certification for two complete consecutive school years and is then reelected for the next succeeding school year shall become a permanent employee at the beginning of the third year. (Education Code 44929.21, 44929.23)

During the probationary period, employees shall receive professional development and assistance which may consist of in-service training and/or meetings with the employee's evaluator to discuss areas of strength and areas requiring improvement. Inservice training may be provided during school hours as part of a comprehensive staff development program.

The performance of each probationary employee shall be evaluated and assessed at least once every school year.

**Dismissal/Nonreelection of Probationary Employees**

During the school year, a probationary employee may be suspended or dismissed only for cause and in accordance with district procedures. (Education Code 44948.3)

With proper notice, the Board may, without cause, elect not to reemploy a probationary employee for the subsequent year. (Education Code 44929.21, 44929.23)

The Superintendent or designee shall annually provide the Board with recommendations regarding the reelection or nonreelection of probationary certificated personnel for the ensuing school year.

At any time during a probationary employee's first year of employment in the district, the Board may give written notice to the employee of the Board's decision not to reelect the employee for a second school year. If the Board does not give written notice, the employee shall be deemed reelected for the next succeeding school year.

During the final year of the probationary period, the Board may decide not to reelect the

employee for the following year, and shall so notify the employee in writing on or before March 15. If the Board does not give written notice on or before March 15, the employee shall be deemed reelected for the next succeeding school year. (Education Code 44929.21, 44948.5)

Such notices shall be delivered through personal service upon the employee, certified mail with return receipt, email, or another method which documents actual receipt of the notice by the employee.

02/91  
10/95  
02/98  
08/12/98  
06/26/2024

**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State**

- Ed. Code 44466
- Ed. Code 44850.1
- Ed. Code 44885.5
- Ed. Code 44908
- Ed. Code 44910-44913
- Ed. Code 44915
- Ed. Code 44917-44921
- Ed. Code 44929.20
  
- Ed. Code 44929.21
  
- Ed. Code 44929.23
- Ed. Code 44929.28
- Ed. Code 44930-44988
- Ed. Code 44948.2
- Ed. Code 44948.3
- Ed. Code 44948.5
- Ed. Code 44949
- Ed. Code 44955

**Description**

- [Status of university interns](#)
- [No tenure in administrative or supervisory position](#)
- [District interns classified as probationary employees](#)
- [Complete year for probationary employees](#)
- [Service not computed in eligibility for permanent status](#)
- [Classification of probationary employees](#)
- [Status of substitute or temporary employees](#)
- [Continuing contracts \(not to exceed four years - ADA under 250\)](#)
- [Notice of reelection decision; districts with 250 ADA or more](#)
- [Districts with less than 250 ADA](#)
- [Employment by another district](#)
- [Resignations, dismissals and leaves of absence](#)
- [Election to use provisions of Section 44948.3](#)
- [Dismissal of probationary employees](#)
- [Nonreelection procedures; districts under 250 ADA](#)
- [Dismissal of probationary employees](#)
- [Reduction in number of permanent employees](#)

**Management Resources**

- Court Decision Sullivan v. Centinela Valley Union High School District (2011) 194 Cal. App. 4th 69
- Court Decision Bakersfield Elementary Teachers Assn. v. Bakersfield City School District (2006) 145 Cal. App. 4th 1260, 1280
- Court Decision California Teachers Assn. v. Vallejo City Unified School District (2007) 149 Cal. App. 4th 135, 146
- Court Decision Grace v. Beaumont Unified School District (2013) 216 Cal. App. 4th 1325
- Court Decision Hoschler v. Sacramento City Unified School District (2007) 149 Cal. App. 4th 258

Website

[CSBA District and County Office of Education Legal Services](#)

**Cross References**

**Code**

0420.4  
0420.4  
4112.21  
4112.21  
4112.5  
4112.5-E(1)  
4112.9  
4112.9-E(1)  
4115  
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4117.3  
4117.7  
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4131  
4161.1  
4161.11  
4161.5  
4212.5  
4212.5-E(1)  
4212.9  
4212.9-E(1)  
4261.11  
4261.5  
4312.5  
4312.5-E(1)  
4312.9  
4312.9-E(1)  
4317.7  
4361.1  
4361.11  
4361.5

**Description**

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[Criminal Record Check](#)  
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