

PROBATIONARY/PERMANENT STATUS

Eligibility for Permanent Status

A probationary employee who, in any one school year, has served for at least 75 percent of the number of days maintained by a regular district schools shall be deemed to have served a complete school year. (Education Code 44908)

The following shall not be included for purposes of computing the service required as a prerequisite to classification as a permanent employee:

1. Service as an instructor in classes conducted at regional occupational centers or programs (Education Code 44910)
2. Service under a provisional credential other than a one-year emergency credential (Education Code 44911)
3. Service only as a teacher of basic military drill in high school cadet companies (Education Code 44912)
4. Employment in summer school (Education Code 44913)

Permanency Achieved in Other Districts

A person who has achieved permanent status as a certificated employee in another school district may be employed by the Governing Board as a permanent certificated employee. (Education Code 44929.28)

Interns

A person employed as a district or university intern shall be classified as a probationary employee. Following completion of the internship, if reelected by the district to serve in a position requiring certification qualifications for the next succeeding school year, the employee shall continue to be classified as a probationary employee during that year. (Education Code 44466, 44885.5)

An employee who has completed an internship and at least one complete school year in a position requiring certification qualifications within the district shall be granted permanent status when the employee is reelected for the next succeeding school year to a position requiring certification qualifications. (Education Code 44466, 44885.5)

LEGAL REFERENCE:

EDUCATION CODE

44466	Status of university interns
44850.1	No tenure in administrative or supervisory position
44885.5	District interns classified as probationary employees
44908	Complete year for probationary employees
44910-44913	Service not computed in eligibility for permanent status
44915	Classification of probationary employees
44917-44921	Status of substitute or temporary employees

TUSD Acknowledged 02.25.97

TUSD Revised 01.13.26

PROBATIONARY/PERMANENT STATUS

44929.21	Notice of reelection decision; districts with 250 ADA or more
44929.28	Employment by another district
44930-44988	Resignations, dismissals and leaves of absence
44948.2	Election to use provisions of section 44948.3
44948.3	Dismissal of probationary employees
44949	Dismissal of probationary employees
44955	Reduction in number of permanent employees

MANAGEMENT RESOURCES

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