

PROBATIONARY/PERMANENT STATUS

The Governing Board desires to employ and retain highly qualified 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.

PROBATIONARY/PERMANENT STATUS

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
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