

Regulation 4117.6: Decision Not To Rehire

Status: DRAFT

| Last Revised Date: 10/05/2010

The Superintendent or designee shall provide the Governing Board with his/her recommendations regarding the rehiring of probationary certificated personnel.

The Board may decide not to rehire a probationary employee for a second school year and give written notice of its decision to the employee at any time during his/her first year of employment. If the Board does not give written notice, the employee shall be deemed reelected for the next succeeding school year.

The Board may decide not to rehire a probationary employee for a third year and give written notice to the employee on or before March 15 of his/her second complete consecutive school year of employment. 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, 44929.23)

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 References

Description

Ed. Code 44885.5	District interns classified as probationary employees - https://simbli.eboardsolutions.com/SU/ZMu6slshviTx0OplusbPimOgsOOQw==
Ed. Code 44929.21	Notice of reelection decision; districts with 250 ADA or more - https://simbli.eboardsolutions.com/SU/HINpshxbyLwME3nPO6mb5IA==
Ed. Code 44929.23	Districts with less than 250 ADA - https://simbli.eboardsolutions.com/SU/sdwal87FoWQPzpj1slsh848GQ==
Ed. Code 44948.2	Election to use provisions of Section 44948.3 - https://simbli.eboardsolutions.com/SU/pluskQsxhRbWvxznsHJhgZzWA==
Ed. Code 44948.3	Dismissal of probationary employees - https://simbli.eboardsolutions.com/SU/SUUC8JcznWrvosckd9g7kg==
Ed. Code 44949	Dismissal of probationary employees - https://simbli.eboardsolutions.com/SU/yo6JVtoftkL8mvYPJbeSWA==
Ed. Code 44955	Reduction in number of permanent employees - https://simbli.eboardsolutions.com/SU/MQslshxJIn2uiAVe9Pljo6DqA==

Management Resources References

Description

Court Decision	Bellflower Education Assn. v. Bellflower Unified School District, (1991) 228 Cal.App.3d 805
Court Decision	Fontana Teachers Assn. v. Fontana Unified School District, (1988) 201 Cal.App.3d 1517
Court Decision	Grimsley v. Board of Trustees, (1987) 189 Cal.App.3d 1440
Court Decision	Hoschler v. Sacramento City Unified School District, (2007) 149 Cal. App. 4th 258
Court Decision	Fischer v. Los Angeles Unified School District, (1999) 70 Cal.App. 4th 87
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsHxk6R5akQ==

Cross References

Description

4112.21	Interns - https://simbli.eboardsolutions.com/SU/QZvPcHT2nD9e0D5ylULphQ==
4112.21	Interns - https://simbli.eboardsolutions.com/SU/hCsg7ffrJXEQU5xkv8JI9Q==

- 4115 Evaluation/Supervision -
<https://simbli.eboardsolutions.com/SU/K13vNJ2xRPXslshg8qKWhKljw==>
- 4115 Evaluation/Supervision -
<https://simbli.eboardsolutions.com/SU/TgIGPP2slshE6zp6AAKq663BQ==>
- 4117.3 Personnel Reduction -
<https://simbli.eboardsolutions.com/SU/4zUoIZ6plusDDPtMplusGe8fUiMg==>
- 4117.7 Employment Status Reports -
<https://simbli.eboardsolutions.com/SU/u2NrMbyCruGeydkplusj3xsAg==>
- 4118 Dismissal/Suspension/Disciplinary Action -
<https://simbli.eboardsolutions.com/SU/zZ8ALG9AVGufbVzECQB8Tw==>
- 4118 Dismissal/Suspension/Disciplinary Action -
<https://simbli.eboardsolutions.com/SU/XIEfnDBZPAuMslshpEqBrwTKw==>
- 4131.1 Teacher Support And Guidance -
<https://simbli.eboardsolutions.com/SU/rR0nJYVvnpiO2ffL9Unp2A==>
- 4313.2 Demotion/Reassignment -
<https://simbli.eboardsolutions.com/SU/4kujWAZE2hpVb4DTLkMNA==>
- 4313.2 Demotion/Reassignment -
<https://simbli.eboardsolutions.com/SU/wN6uoq8e0KH0G3bWbplus5ikw==>