

Santa Barbara Unified School District

Administrative Regulation

AR 4117.6

Certificated Personnel

DECISION NOT TO REHIRE

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)

(cf. 4112.21 - Interns)

(cf. 4116 - Probationary/Permanent Status)

(cf. 4117.3 - Personnel Reduction)

Legal Reference:

EDUCATION CODE

44885.5	District interns
44929.21	Districts with 250 ADA or more; notice of reelection decision
44929.23	Districts with daily attendance less than 250
44948.2	Election to use provisions of Education Code 44948.3
44948.3	Dismissal of probationary employees (over 250 ADA)
44949	Cause, notice and right to hearing required for dismissal of probationary employee
44955	Reduction in number of permanent employees

COURT DECISIONS

<u>Hoschler v. Sacramento City Unified School District</u> , (2007) 149 Cal. App. 4th 258
<u>Fischer v. Los Angeles Unified School District</u> , (1999) 70 Cal.App.4th 87
<u>Bellflower Education Assn. v. Bellflower Unified School District</u> , (1991) 228 Cal.App.3d 805
<u>Fontana Teachers Assn. v. Fontana Unified School District</u> , (1988) 201 Cal.App.3d 1517
<u>Grimley v. Board of Trustees</u> , (1987) 189 Cal.App.3d 1440

SANTA BARBARA UNIFIED SCHOOL DISTRICT
Santa Barbara, California January 26, 2010