

# Santa Barbara Unified School District

## Administrative Regulation

AR 4317.4

### Management and Confidential Personnel

#### DISMISSAL

##### Permanent Employees

Permanent employees shall not be dismissed from their position except when cause for dismissal can be shown. Cause and procedures for dismissal are defined by provisions of Education Code 44932-44947.

(cf. 4116 - Probationary/Permanent Status)

##### Probationary Employees

During the school year, certificated probationary employees may be dismissed for causes specified in Education Code 44932 or for unsatisfactory performance determined pursuant to Education Code 44660-44665. Procedures and time limits for such action shall be those set forth in Education Code 44948.3.

(cf. 4115 - Evaluation/Supervision)

At the end of the school year, the Governing Board may decide not to rehire probationary employees without a statement of reasons, giving notice in accordance with Education Code 44929.21.

(cf. 4117.6 - Decision Not to Rehire)

1. A *certificated management employee* shall only be dismissed as prescribed by Education Codes 44932 - 44947.
2. A *classified management/confidential employee* may be dismissed by the Board for cause as set forth in district policy, regulation or collective bargaining agreement for classified employees.

*Dismissal* is the separation from service.

#### Legal References:

##### EDUCATION CODE

44660-44665	<i>Evaluation and assessment of performance</i>
44842	<i>Automatic declining of employment</i>
44918	<i>Substitute or temporary employee; reemployment rights</i>
44929.21	<i>Districts with 250 ADA or more; notice of reelection decision.</i>
44929.23	<i>Districts with daily attendance less than 250</i>
44932-44947	<i>Suspension and/or dismissal of permanent employees</i>
44948	<i>Dismissal or suspension of probationary employees during school year</i>
44948.2	<i>Election to use provisions of Education Code 44948.3</i>
44948.3	<i>Dismissal of probationary employees (over 250 ADA)</i>
44948.5	<i>Dismissal of probationary employees (under 250 ADA)</i>
44949	<i>Cause, notice and right to hearing for dismissal of probationary employee</i>
44953	<i>Dismissal of substitute employees</i>
44955	<i>Reduction in number of permanent employees</i>

##### GOVERNMENT CODE

3543.2	<i>Scope of representation (re duty of district to meet and negotiate regarding causes and procedures for discipline less than dismissal)</i>
--------	---

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