

OAK PARK UNIFIED SCHOOL DISTRICT ADMINISTRATIVE REGULATION

Series 4000

Personnel

AR 4117.6

Decision Not To Rehire

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

The Board may decide not to rehire a probationary employee for a second 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 - District Interns)

(cf. 4116 - Probationary/Permanent Status)

(cf. 4117.3 - Personnel Reduction)

Legal Reference:

EDUCATION CODE

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

Fischer v. Los Angeles Unified School District (1999) 70 Cal.app.4th 87

Bellflower Education Assn. v. Bellflower Unified School District 228 Cal. App. 3d 805; 279 Cal. Rptr. 179 (March 1991)

Fontana Teachers Assn. v. Fontana Unified School District 201 Cal. app. 3d 1517; 247 Cal. Rptr. 761 (May 1988)

Grimsley v. Board of Trustees 189 Cal. App. 3d 1440; 235 Cal. Rptr. 85 (March 1987)

Amended: 9-17-02, 7-04