

Maricopa Unified School District Administrative Regulation

Personnel

Dismissal

AR 4117.4

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 (Districts of 250 ADA or more)

During the school year, certificated probationary employees may be dismissed for causes specified in Education Code 44932-44947 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)

Probationary Employees (Districts of less than 250 ADA)

During the school year, dismissal procedures shall be those set forth in Education Code 44932 et seq.

At the end of the school year, dismissal procedures shall be those set forth in Education Code 44948.5. The employee shall receive written notice on or before March 15 and may request a hearing, as provided by Education Code 44948.5, to determine if there is cause for not reemploying him/her. If the Governing Board does not give written notice on or before March 15, the employee shall be rehired for the following year. (Education Code 44948.5)

(cf. 4121 - Temporary/Substitute Personnel)

Legal References:
EDUCATION CODE

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

GOVERNMENT CODE

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

(12/91 12/92) 10/96

MUSD Board Policy Adopted: 3/11/04

Reviewed/Revised: 7/23/15