
SERVICE:	Certificated
ISSUED BY:	Pers. Research (1-28-14)
REPLACES:	PG: D 3 (8-4-09)
REFERENCE:	Education Code Sections 44930 through 44988; Board Rule 1975; District-UTLA Collective Bargaining Agreement, Article X.
CHANGES:	Listed Dismissal Causes. Titles and office name changes.

Note: This policy guide is for informational purposes only. Administrators considering dismissal actions must contact/notify their appropriate Employee Performance Accountability Field Director for assistance and guidance.

1. Dismissal of Permanent and Probationary Employees.

The dismissal of a certificated employee must be accomplished within the time and procedural guidelines described in the Education Code.

a. Dismissal of Permanent Employees. Education Code Sections 44930 through 44988 include the following:

(1) The causes that are the basis for the dismissal of a certificated employee:

- (a) Immoral or unprofessional conduct.
- (b) Commission, aiding, or advocating the commission of acts of criminal syndicalism, as prohibited by Chapter 188 of the Statutes of 1919, or in any amendment thereof.
- (c) Dishonesty.
- (d) Unsatisfactory performance.
- (e) Evident unfitness for service.
- (f) Physical or mental condition unfitting him or her to instruct or associate with children.
- (g) Persistent violation of or refusal to obey the school laws of the state or reasonable regulations prescribed for the government of the public schools by the State Board of Education or by the governing board of the school district employing him or her.
- (h) Conviction of a felony or of any crime involving moral turpitude.
- (i) Violation of Section 51530 or conduct specified in Section 1028 of the Government Code, added by Chapter 1418 of the Statutes of 1947.
- (j) Knowing membership by the employee in the Communist Party.
- (k) Alcoholism or other drug abuse which makes the employee unfit to instruct or associate with children.

(2) The notifications which must be given to an employee when related to certain causes for dismissal. The Employee Performance Accountability Field Director must be contacted for instructions before issuing any notifications.

(3) The dates by which certain actions must be taken.

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1. Dismissal of Permanent and Probationary Employees. (Cont'd)

- (4) The composition and duties of a Commission on Professional Competence which acts as a hearing panel in permanent employee dismissal cases.

b. Non-Reelection Process for Probationary Employees.

- (1) The principal/administrator annually recommends if probationary employees are to be retained or non-reelected and released from employment with the District through the Affirmative Decision Process.
- (2) Immediately notify your Employee Performance Accountability Field Director for guidance and procedure if you are considering issuing a Below Standard Evaluation to any probationary certificated employee.

Prior to the submission of any written notice to the Board of Education and to the employee recommending that a probationary certificated employee be dismissed, the employee concerned shall be given the opportunity to meet with the Administrator to which assigned. The administrator informs the employee of their recommendation of non-reelection.

2. Dismissal of Substitute Employees

Employees with substitute status may be dismissed in accordance with Education Code Section 44953 at any time upon recommendation by the Director, Certificated Placement and Assignments and the Director, Employee Relations. Substitutes usually will be terminated because of an unsatisfactory act, inadequate service, or for non-availability. The Chief Human Resources Officer as designee of the Superintendent and the Board of Education will notify the substitute employee of the dismissal action.