

Board Office Use: <b>Legislative File Info.</b>	
File ID Number	22-2939
Introduction Date	01/11/2023
Enactment Number	23-0059
Enactment Date	1/17/2023 os



### Board Cover Memorandum

**To** Board of Education

**From** Kyla Johnson-Trammell, Superintendent  
Tara Gard, Chief of Talent

**Meeting Date** January 11, 2023

**Subject** **Notice of Release from Position to each and every probationary and temporary certificated employee who will not be reelected for employment for the School Year 2023-2024**

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**Action Requested** Approval by the Board of Education authorizing the Superintendent of Schools or designee to send a Notice of Release from Position to each and every probationary and temporary certificated employee who will not be reelected for employment for the School Year 2023-2024, pursuant to provisions of California Education Code Section 44929.21 and 44954.

**Fiscal Impact** None

**Recommendation** Approval by the Board of Education authorizing the Superintendent of Schools or designee to send a Notice of Release from Position to each and every probationary and temporary certificated employee who will not be reelected for employment for the School Year 2023-2024.

**Agenda Item Only**  
**No Accompanying Documents**

Approved by:

  
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Tara Gard  
Deputy Chief Talent Officer, Talent Division

Date 12/16/2022

  
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Mike Hutchinson  
President, Board of Education

Date 1/18/2023

  
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Kyla Johnson-Trammell  
Superintendent & Secretary,  
Board of Education

Date 1/18/2023

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## **CALIFORNIA EDUCATION CODE**

### **SECTION 44929.21 and 44954**

**44929.21** (a) Every employee of a school district of any type or class having an average daily attendance of 250 or more who, after having been employed by the district for three complete consecutive school years in a position or positions requiring certification qualifications, is reelected for the next succeeding school year to a position requiring certification qualifications shall, at the commencement of the succeeding school year be classified as and become a permanent employee of the district. This subdivision shall apply only to probationary employees whose probationary period commenced prior to the 1983-84 fiscal year.

(b) Every employee of a school district of any type or class having an average daily attendance of 250 or more who, after having been employed by the district for two complete consecutive school years in a position or positions requiring certification qualifications, is reelected for the next succeeding school year to a position requiring certification qualifications shall, at the commencement of the succeeding school year be classified as and become a permanent employee of the district.

The governing board shall notify the employee, on or before March 15 of the employee's second complete consecutive school year of employment by the district in a position or positions requiring certification qualifications, of the decision to reelect or not reelect the employee for the next succeeding school year to the position. In the event that the governing board does not give notice pursuant to this section on or before March 15, the employee shall be deemed reelected for the next succeeding school year.

This subdivision shall apply only to probationary employees whose probationary period commenced during the 1983-84 fiscal year or any fiscal year thereafter.

**44954.** Governing boards of school districts may release temporary employees requiring certification qualifications under the following circumstances:

(a) At the pleasure of the board prior to serving during one school year at least 75 percent of the number of days the regular schools of the district are maintained.

(b) After serving during one school year the number of days set forth in subdivision (a), if the employee is notified before the end of the school year of the district's decision not to reelect the employee for the next succeeding year.