

AMENDED IN SENATE APRIL 4, 2016

SENATE BILL

No. 1224

Introduced by Senator Huff

February 18, 2016

An act to ~~amend~~ *add* Section ~~44948~~ of 44955.3 to the Education Code, relating to certificated school employees.

LEGISLATIVE COUNSEL'S DIGEST

SB 1224, as amended, Huff. Certificated school employees: probationary employees: dismissal or suspension.

Under existing law, when school employees are terminated pursuant to a reduction in workforce, a school district is required to terminate the employees in order of seniority, beginning with the least senior. Existing law authorizes a school district to deviate from terminating employees pursuant to a reduction in workforce in the order of seniority for specified reasons.

This bill would require a local educational agency that terminates an employee pursuant to a reduction in workforce in order of seniority to report that termination to the State Department of Education. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program. The bill would require the department to annually aggregate the number of terminations reported and to make that number available to the public on its Internet Web site.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

~~Under existing law, the governing board of a school district may dismiss certain probationary employees during the school year only for cause.~~

~~This bill would make nonsubstantive changes to that provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 44955.3 is added to the Education Code,*
2 *to read:*

3 44955.3. (a) A local educational agency that terminates an
4 employee in order of seniority pursuant to Section 44955 shall
5 report that termination to the department.

6 (b) The department shall annually aggregate the number of
7 terminations reported pursuant to subdivision (a), and make that
8 number available to the public on its Internet Web site.

9 SEC. 2. *If the Commission on State Mandates determines that*
10 *this act contains costs mandated by the state, reimbursement to*
11 *local agencies and school districts for those costs shall be made*
12 *pursuant to Part 7 (commencing with Section 17500) of Division*
13 *4 of Title 2 of the Government Code.*

14 ~~SECTION 1. Section 44948 of the Education Code is amended~~
15 ~~to read:~~

16 44948. (a) (1) ~~The governing board of a school district shall~~
17 ~~dismiss probationary employees during the school year for cause~~
18 ~~only, as in the case of permanent employees.~~

19 ~~(2) This subdivision shall apply only to probationary employees~~
20 ~~whose probationary period commenced before the 1983–84 fiscal~~
21 ~~year or who are employed in a school district having an average~~
22 ~~daily attendance of less than 250 pupils.~~

23 ~~(b) The governing board of a school district may suspend a~~
24 ~~probationary employee for a specified period of time without pay~~
25 ~~as an alternative to dismissal pursuant to this section. This~~

- 1 ~~subdivision shall apply only to probationary employees whose~~
- 2 ~~probationary period commenced before the 1983=84 fiscal year.~~

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