

All Personnel

AR 4117.5

4217.5

TERMINATION AGREEMENTS

4317.5

If a termination settlement agreement has been made with an employee, the Superintendent/Principal or designee shall inform prospective employers, upon request for an employment reference, that an agreement exists and that he/she may only provide information as provided for in the agreement.

(cf. 1340 - Access to District Records)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 4112.61/4212.61/4312.61 - Employment References)

Cash settlements made upon the termination of a contract shall never exceed an amount equal to the employee's monthly salary multiplied by the number of months, up to 18, in the unexpired term of the contract. This amount is a maximum ceiling, not to be construed as a target amount for settlement agreements. (Government Code 53260)

Settlement agreements shall not include noncash items other than health benefits, which the district may offer to continue for the unexpired term up to 18 months or until the employee finds other employment, whichever comes first. (Government Code 53261)

Copies of settlement agreements with a superintendent, deputy superintendent, assistant superintendent, associate superintendent or other similar chief administrative officer or chief executive officer shall be made available to the public upon request. (Government Code 53262)

(cf. 2121 - Superintendent's Contract)
(cf. 4312.1 - Contracts)

Legal Reference:

- CIVIL CODE
- 47 Privileged communication
- GOVERNMENT CODE
- 53260-53264 Employment contracts
- LABOR CODE
- 1198.5 Inspection of personnel files by employees
- CODE OF REGULATIONS, TITLE 5
- 80303 Reports of dismissal, resignation and other terminations for cause
- 80332 Professional honesty in letters of employment recommendation
- COURT DECISIONS
- Randi W. v. Muroc Joint Unified School District, (1997) 14 Cal.4th 1066
- Board of Trustees of Leland Stanford Junior University v. Superior Court, (1981) 119 Cal. App. 3d 516