

MIDDLETOWN UNIFIED SCHOOL DISTRICT

Regulation 4317.5: Termination Agreements

Original Adopted Date: 1/17/2024

If a termination settlement agreement has been made with an employee, the Superintendent 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.

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)

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

5 CCR 80303

5 CCR 80332

Civ. Code 47

Gov. Code 53260-53264

Lab. Code 1198.5

Management Resources

Court Decision

Court Decision

Website

Description

Reports of change in employment status; alleged misconduct

Professional candor and honesty in letters or memoranda of employment recommendation

[Privileged communication](#)

[Employment contracts](#)

[Personnel records related to performance and grievance](#)

Description

Board of Trustees of Leland Stanford Junior University v. Superior Court, (1981) 119 Cal. App. 3d 516

Randi W. v. Muroc Joint Unified School District et al., (1997) 14 Cal. 4th 1066

[CSBA District and County Office of Education Legal Services](#)

Cross References

Code

Description

1340	<u>Access To District Records</u>
1340	<u>Access To District Records</u>
2121	<u>Superintendent's Contract</u>
4112.6	<u>Personnel Files</u>
4112.61	<u>Employment References</u>
4212.6	<u>Personnel Files</u>
4212.61	<u>Employment References</u>
4312.1	<u>Contracts</u>
4312.6	<u>Personnel Files</u>
4312.61	<u>Employment References</u>