Administrative Regulation
AR 4117.5 4217.5, 4317.5 - Termination Agreements

Personnel

If a termination settlement agreement has been made with an employee, the Executive Director 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 an Executive Director shall be made available to the public upon request. (Government Code 53262)

(cf. 2121 - Executive Director'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

03-22
02-23

B.E.S.T. Academy Charter School **Personnel**