

## RULE 13

### PROBATIONARY PERIOD

#### 1301 Length of Probationary Period

Employees appointed to a position in the classifications of Parent Restricted Aide or School Aide and those appointed to a permanent position from open competitive eligibility list or a promotional eligibility list shall serve a probationary period of six (6) months or 130 days of paid service, whichever is longer, for each classification held.

#### EDUCATION CODE 45301

All classified positions that have been recognized by the Board of Education as "Management Positions" shall serve a probationary period of 12 months or 260 days of paid service, whichever is longer.

The probationary period shall not include time served under emergency, provisional, limited term appointments, or leave of absence. No employee shall attain permanent status in the classified service until completing a probationary period in a class. During the probationary period an employee may use up to a maximum of 15 leave days (excluding holidays) to count toward completion of the probationary period.

#### 1302 Rights of Probationary Employees

- A. A new employee who is suspended or dismissed during the initial probationary period shall be notified in writing of the action taken and the reasons therefore.
- B. An employee who has permanent status in the classified service, and who has been promoted to a higher class, may be demoted during the probationary period to the former class. The employee shall be notified in writing of the action and the reasons therefore and shall have the right of appeal provided in Section 2004.
- C. A permanent employee who is suspended or dismissed or demoted to other than the former class during a probationary period retains full rights of appeal.

- D. Should the work for which a probationary employee has been appointed prove temporary instead of permanent as certified, and should the employee be laid off without fault or delinquency on their part before the probationary period is completed, their name shall be restored to the eligibility list and the time served shall be credited on the probationary period.

#### 1303 Report of Performance

It shall be the duty of the appointing power during the probationary period of each employee to investigate thoroughly the conduct, competence, capacity, moral responsibility, and integrity to determine whether the employee is fully qualified for permanent status.

#### 1304 Reinstatement of Probationer

A permanent employee who has vacated a position to accept a position in a classification at the same or higher level and who is rejected during the probationary period shall be reinstated to their former position. The incumbent (newly appointed employee) of such position at the time of reinstatement of the rejected probationer shall be transferred to a vacant position in the same classification, if such exists, or shall be restored to their prior position in the District, or to the eligibility list from which they were appointed if no prior position was held. Any employee displaced by such restoration to a prior position shall have similar rights of displacement as though the restored employee were a rejected probationary.

