



# CLIENT NEWS BRIEF

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## REMINDER: PERSONAL SERVICE REQUIRED FOR NON-REELECTION NOTICES

With March 15 quickly approaching, many school districts are carefully reviewing their staff and staffing levels. During this process, districts may find it necessary to issue non-reelection notices to probationary certificated employees.

Education Code 44929.21 requires notices of non-reelection to be sent to second year probationary teachers by March 15. When issuing notices of non-reelection to certificated employees pursuant to Education Code section 44929.21, please remember that the California Court of Appeal has held that personal service of non-reelection notices is required. (Hoschler v. Sacramento City Unified School District (2007) 149 Cal. App. 4th 258 ("Hoschler"); See [CNB No. 13 \(2007\)](#).)

Therefore, we suggest that districts make non-reelection decisions early to allow enough time to personally serve the notices on the affected employees. In addition, although Hoschler does not address service of notices of release for temporary employees pursuant to Education Code section 44954, the court stated that when a statute is silent as to service, personal service is required. Because section 44954 is silent as to service requirements, we recommend that districts consider personal service of notices on temporary employees.

If you need assistance with the process or with preparation of the necessary documents, please contact any of our [seven offices](#) located statewide.

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