

Charter School Hot Topics

- When you're preparing to terminate an employee, make sure you check your paperwork! Terminations should comply with the terms of any written employment agreements, employee handbooks and school policies. It's also good to have documentation in the employee's personnel file to support the termination.

- To give your school maximum flexibility, have your employment agreements specify that employment is at-will and that the employment agreements are not for a fixed period of time. If your employment agreement says that an employee can only be terminated for good cause, you may have to undergo lengthy and expensive procedures before you can terminate a troublesome employee.

- To be classified as an exempt employee (salaried), workers have to meet both a wage and a duties test. Part time teachers can be classified as exempt, but they have to earn at least \$2773 per month. If they do not satisfy the minimum salary requirement, they must be paid by the hour.

- Implement a policy on California's Mandatory Reporting Guidelines for neglected or abused children. In the wake of the Penn State scandal, it is more important than ever to remind your staff to be diligent. Conduct trainings so all mandatory reporters are familiar with their obligations under the law. You should document who attends the trainings and keep those records in case of future problems. It's also a good idea to adopt a policy on staff/student interactions so that questionable conduct can be kept to a minimum.

- Do not deduct the cost of paying a substitute from a teacher's salary unless the teacher has signed a written consent form authorizing the deduction. California's Labor Code specifies that an employer cannot make any unauthorized deductions from an employee's pay - that means no deductions without signed written consent!

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- Medical leaves and disabilities can be one of the most complicated areas of employment law. An employee with a medical condition may be entitled to unpaid medical leave and accommodations in the workplace for his or her disability even if the employee doesn't ask for an accommodation! Don't be caught unprepared. If you are aware that an employee is struggling with a physical or mental condition, you should determine whether the condition qualifies as a disability and find out what, if anything, you are required to do to accommodate the employee.

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