

SUSPENSION/DISCIPLINARY ACTION

The Governing Board expects all employees to exhibit professional and appropriate conduct and serve as positive role models both at school and in the community. An employee may be suspended or disciplined for unprofessional or inappropriate conduct in accordance with law, the district's collective bargaining agreement, Board policy, and administrative regulation.

(cf. 4000 - Concepts and Roles)
(cf. 4112.5/4312.5 - Criminal Record Check)
(cf. 4117.4 - Dismissal)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4141/4241 - Collective Bargaining Agreement)

The Superintendent or designee may take disciplinary action as he/she deems appropriate in light of the particular facts and circumstances involved and based on the severity of the misconduct. Disciplinary actions may include, but not be limited to, verbal warnings, written warnings, written reprimands, reassignment, suspension, freezing or reduction of wages, compulsory leave, or dismissal.

The Superintendent or designee shall ensure that, consistent with law, disciplinary actions are taken in a consistent, nondiscriminatory manner and are appropriately documented.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 4032 - Complaints Concerning Discrimination in Employment)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 4119.1/4219.4319.1 - Civil and Legal Rights)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

In accordance with law, the Superintendent or designee shall notify the Commission on Teacher Credentialing when the status of a credentialed employee has been changed as a result of alleged misconduct.

(cf. 4117.7 - Employment Status Reports)

Legal Reference: (see next page)

SUSPENSION/DISCIPLINARY ACTION (Continued)

Legal Reference:

EDUCATION CODE

44008 *Effect of termination of probation*
44009 *Conviction of specified crimes*
44010 *Sex offense - definitions*
44011 *Controlled substance offense - definitions*
44242.5 *Reports and review of alleged misconduct*
44425 *Conviction of a sex or narcotic offense*
44660-44665 *Evaluation and assessment of performance of certificated employees*
44830.1 *Criminal record summary certificated employees*
44930-44988 *Resignations, dismissal, and leave of absence, especially:*
44940 *Sex offenses and narcotic offenses; compulsory leave of absence*
44940.5 *Compulsory leave of absence*
45055 *Drawing of warrants for teachers*
48907 *Exercise of free speech, expression*
48950 *Speech and other communication*
51530 *Advocacy or teaching of communism*

GOVERNMENT CODE

3543.2 *Scope of representation*

HEALTH AND SAFETY CODE

11054 *Schedule I; substances included*
11055 *Schedule II, substances included*
11056 *Schedule III, substances included*
11357-11361 *Marijuana*
11363 *Peyote*
11364 *Opium*
11370.1 *Possession of controlled substances with a firearm*

PENAL CODE

187 *Murder*
291 *School employees arrest for sex offense*
667.5 *Prior prison terms, enhancement of prison terms*
1192.7 *Plea bargaining limitation*

CODE OF REGULATIONS, TITLE 5

80303 *Reports of change in employment status*
80304 *Notice of sexual misconduct*

COURT DECISIONS

Crowl v. Commission on Professional Competence, (1990) 225 Cal. App. 3d 334

Management Resources:

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

California's Laws & Rules Pertaining to the Discipline of Professional Certificated Personnel, 2007

WEB SITES

CSBA: <http://www.csba.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>