

SUSPENSION / DISCIPLINARY ACTION

Disciplinary Guidelines

The Superintendent or designee shall prepare written guidelines which identify types of misconduct and possible consequences. Disciplinary guidelines shall describe progressive disciplinary actions which may be taken, including verbal warning, written warning, reassignment, suspension, freezing or reducing of wages, compulsory leave and dismissal.

Suspension Without Pay

When a permanent certificated employee's unprofessional conduct is not considered serious enough to warrant dismissal, he/she may be suspended without pay on grounds of unprofessional conduct, following procedures designated in Education Code 44932.

A probationary certificated employee may be suspended without pay for a specified period as an alternative to dismissal during the school year, following procedures designated in Education Code 44948.3.

Notice of Unprofessional Conduct

Prior to the filing of written charges leading to suspension without pay, the employee shall receive a notice which indicates the nature of his/her unprofessional conduct, cites specific instances of unprofessional behavior, and gives him/her a 45-day opportunity to correct this conduct and avoid suspension. This notice shall also include the employee's evaluation made pursuant to Education Code 44664, if applicable. If the employee demonstrates full remediation during the above 45 days, disciplinary action shall not be taken.

(cf. 4115 - Evaluation/Supervision)

Nonperformance of Duties

Whenever an employee refuses to perform assigned work without an acceptable reason, the Superintendent or designee shall deduct from his/her wages an amount reasonably related to the time not worked. (Education Code 45055)

(cf. 4141.6 - Concerted Action/Work Stoppage)

Compulsory Leave

The Governing Board shall immediately place on compulsory leave of absence any certificated employee who is charged with committing: (Education Code 44940)

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1. Any sex offense as defined in Education Code 44010
2. Any offense involving the unlawful sale, use or exchange to minors of controlled substances identified in law as a mandatory leave offense

The Board also may require an immediate compulsory leave of absence when a certificated employee is charged with other offenses specified in law. (Education Code 44940)

This leave may extend for not more than 10 days after the entry of judgment in the proceedings. (Education Code 44940)

The Board may extend a certificated employee's compulsory leave by giving him/her notice, within 10 days after the entry of judgment in the proceedings, that he/she will be dismissed in 30 days unless he/she demands a hearing. (Education Code 44940.5)

(cf. 4117.4 - Dismissal)

Employee compensation during the period of compulsory leave shall be made in accordance with Education Code 44940.5.