

SP4118 Suspension/Disciplinary Action
Personnel

Status: ADOPTED
September 6, 2011

The Modoc County Superintendent of Schools 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 Modoc County Office of Education collective bargaining agreement, and administrative regulation.

The County 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, reassignment, suspension, freezing or reduction of wages, compulsory leave, or dismissal.

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

In accordance with law, the County 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.

Legal Reference:

EDUCATION CODE

- 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