

Personnel

Employment Status Reports

Within 30 days of any change in the employment status of a credential holder working in a position requiring a credential made as a result of an allegation of misconduct, the Superintendent shall report the change to the Commission on Teacher Credentialing. The report shall be made whenever one of the following actions is taken as a result of alleged misconduct: (Education Code [44242.5](#); 5 CCR [80303](#))

1. Dismissal
2. Nonreelection/nonreemployment
3. Suspension for more than 10 days
4. Placement on unpaid administrative leave for more than 10 days pursuant to a final adverse employment action
5. Resignation or other departure from employment

The report shall contain all known information about each alleged act of misconduct by the employee. (5 CCR [80303](#))

The report shall be made regardless of any proposed or actual agreement, settlement or stipulation between the district and the employee not to make such a report. The report shall also be made if the allegations are withdrawn in consideration of the employee's resignation, retirement or other failure to contest the truth of the allegations. (5 CCR [80303](#))

The Superintendent shall inform the employee in writing of the contents of 5 CCR [80303](#) upon a change in employment status as a result of alleged misconduct. (5 CCR [80303](#))

Notice of Other Violations

The Superintendent or designee may notify the Commission on Teacher Credentialing of any of the following: (Education Code [44242.5](#))

1. A complaint received by the district regarding a credential holder's alleged sexual misconduct

The notice shall contain all of the following information: (5 CCR [80304](#))

- a. Name of the employee alleged to have engaged in the sexual misconduct
- b. Name, age and address of each victim of the alleged sexual misconduct
- c. A summary of all information known to the district regarding the alleged sexual misconduct
- d. A summary of the action, if any, taken at the district level in response to the complaint of sexual misconduct

2. Refusal, without good cause, to fulfill a valid employment contract, or departure from district service without the consent of the Superintendent or Board (Education Code [44420](#))

3. Knowing and willful use of student records in connection with, or in implicit or explicit attempts to recruit a student to be a customer for, any business owned by the credential holder or in which the credential holder is an employee (Education Code [44421.1](#))

4. Knowing and willful reporting of false fiscal expenditure data relative to the conduct of any educational program (Education Code [44421.5](#))

Legal Reference:

EDUCATION CODE

[44225](#) Powers and duties of the Commission on Teacher Credentialing

[44242.5](#) Reports and review of alleged misconduct

[44420-44440](#) Adverse actions by CTC against credential holder

CODE OF REGULATIONS, TITLE 5

[80303](#) Reports of change in employment status, alleged misconduct

[80304](#) Notice of sexual misconduct