

**Personnel**

**Certificated 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 or designee 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:

1. Dismissal
2. Resignation
3. Suspension for more than 10 days
4. Retirement
5. Termination as a result of a decision not to employ or re-employ
6. Placement on unpaid administrative leave for more than 10 days pursuant to a final adverse employment action.

The report shall contain all known information about each alleged act of misconduct by the employee.

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 The report shall also be made if the allegations are withdrawn in consideration of the employee's resignation, retirement or other failure to contest the truth of the allegations.

The Superintendent or designee 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.

**Notification to Commission on Teacher Credentialing**

The superintendent or designee shall notify the Commission on Teacher Credentialing of any of the following:

1. A complaint received by the district regarding a credential holder's alleged sexual misconduct. The notice shall contain all of the following information:
  - a. Name of the credential holder 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 of Education.
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.
4. Knowing and willful reporting of false fiscal expenditure data relative to the conduct of any educational program.

Legal References: 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 CCTC against credential holder  
Code of Regulations, Title 5  
80303 Reports of change in employment status alleged misconduct  
80304 Notice of sexual misconduct

Rule

approved: 12/11/01

Rule 4117.7

Page 3

revised: 11/19/02