

Suspension/Disciplinary Action

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.

Noncompliance with Duties and Responsibilities

The Governing Board desires to explain to employees what is considered unacceptable conduct. The Superintendent or designee shall prepare written guidelines which reflect state law and Board policy and which identify types of misconduct and possible consequences.

Disciplinary guidelines shall describe progressive disciplinary actions which may be taken, including verbal warning, written warning, transfer, suspension, freezing or reducing of wages, and dismissal. The Superintendent or designee may take disciplinary action as he/she deems appropriate and may deviate from the progressive order of disciplinary actions in light of the particular facts and circumstances involved.

(cf. 4117.4 - Dismissal)

The Superintendent or designee shall document all disciplinary actions thoroughly and accurately and shall ensure that such actions are taken in a consistent, nondiscriminatory manner.

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)

Legal Reference:

EDUCATION CODE

44932 Grounds for dismissal of permanent employee

44933 Other grounds for dismissal

44938 Unprofessional conduct or incompetency; notice of charges

44940 Sex offenses and narcotic offenses; compulsory leave of absence

44942 Suspension or transfer of certificated employee on grounds of mental illness

44944 Conduct of hearing

44948.3 Dismissal of probationary employees

45055 Drawing of warrants for teachers

51530 Advocacy or teaching of communism

GOVERNMENT CODE

3543.2 Scope of representation

CSBE v. FOOTHILL COMMUNITY COLLEGE Dist., 52 Cal. App. 3rd 150, 155-156, 124 Cal Rptr. 830 (1975) ("Conduct unbecoming an employee too vague")

Policy FRESNO UNIFIED SCHOOL DISTRICT

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