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SP 4118
July 1, 2017

CERTIFICATED DISMISSAL

No permanent certificated employee shall be dismissed except for one or more of the following causes.

1. Immoral or unprofessional conduct, examples may include:
 - A. Insubordination including, but not limited to, refusal to perform reasonably assigned work or any other serious breach of discipline.
 - B. Discourteous, offensive or abusive conduct toward other employees, pupils, or the public.
 - C. Misuse or theft, destruction or mishandling of office property or property of employees.
 - D. Offering anything of value, or any service, to another office employee in exchange for special treatment in connection with the employee's job or employment; or the accepting of anything of value or any service in exchange for granting any special treatment to another employee or to any member of the public.
 - E. Possession of opened alcoholic beverage containers, drinking alcoholic beverages, or being intoxicated while on the job, or unauthorized use of narcotics or habit-forming drugs not prescribed by a licensed physician.
 - F. Engaging in unassigned political activities or personal activities during assigned hours of employment.
 - G. Repeated or unexcused absence or tardiness after warning.
 - H. Any willful failure of good conduct tending to injure the public service or its reputation with particular regard to students.
 - I. Abandonment of position, which shall be interpreted to mean an absence without leave having been requested and granted in excess of three days, except in case of dire emergency.

- J. Refusal to accept changes in assignment, working hours, or work location provided that such changes were made in accordance with Office rules and regulations.
2. Commission, aiding, or advocating the commission of acts of criminal syndicalism.
3. Dishonesty, including:
 - A. Abuse of leave privileges.
 - B. Knowingly falsifying any information supplied to the Office including, but not limited to, information supplied on application forms, employment records and other records.
4. Incompetency, including below standard work performance, a pattern of inefficiency, or continued negligence in the performance of assigned duties.
5. Evident unfitness for service, including physical or mental unfitness.
6. Physical or mental condition unfitting the employee to instruct or associate with children.
7. Persistent violation of or refusal to obey the school laws of the state or reasonable regulations prescribed for the government of the public schools by the State Board of Education or by the County Board of Education, including:
 - A. Persistent violation of or refusal to obey safety rules or other procedures applicable to the Office.
 - B. Willful or persistent violation of Office rules and regulations or adopted and implemented procedures of a division or department when such procedures are made known to the employee in writing.
8. Conviction of a felony or of any crime involving moral turpitude, including, conviction of a sex offense as defined in Education Code Section 44010 or a narcotics offense as defined in Education Code Section 44011.
9. Violation of Education Code Section 51530 or conduct specified in Section 1028 of the Government Code.
10. Knowing membership by the employee in any organization which advocates the overthrow of federal, state or local government by force, violence or other unlawful means as defined in Section 1028 of the Government Code.
11. Alcoholism or other drug abuse which makes the employee unfit to instruct or associate with children.

LEGAL REFERENCES

EDUCATION CODE

44932: Grounds for dismissal

44933: Other grounds for dismissal (and other sections noted within the policy)