

# Stockton USD

## Board Policy 4218

### Dismissal/Suspension/Disciplinary Action

The District expects all employees to perform their jobs satisfactorily, comply with all District rules and directives, and exhibit professional and appropriate conduct as role models at school and in the community. Employees may be disciplined for their conduct or performance in accordance with law and any applicable collective bargaining agreement, Board Policy, or Administrative Regulation. To the extent that this Policy is inconsistent with provisions of any collective bargaining agreement, the terms of the collective bargaining agreement shall prevail.

Disciplinary actions may include, but are not limited to, verbal and written warnings or reprimands, demotion, suspension without pay, reduction in base salary or rate of compensation, , and termination from employment. Disciplinary actions shall be based on the particular facts and circumstances involved and the severity of the employee's conduct or performance. The Superintendent or designee shall ensure that disciplinary actions are taken in a consistent, nondiscriminatory manner and are appropriately documented.

#### Certificated Employees

Permanent certificated employees shall be suspended without pay or terminated from employment only for just cause pursuant to Education Code Sections 44932, et seq. During the regular school year, probationary certificated employees shall be suspended without pay or dismissed from employment only for cause pursuant to Education Code Section 44948.3. In addition, the District may choose to dismiss a probationary certificated employee without cause as set forth in **Board Policy 4116**.

#### Classified Employees

Permanent classified employees shall be subject to demotion, reduction in base salary or rate of compensation, suspension without pay, or termination only for just cause as specified in Administrative Regulation 4218 pursuant to the procedures set forth therein. (Education Code § 45113)

At any time during a classified employee's probationary period, the Superintendent or designee may, at his/her discretion, dismiss a probationary classified employee from employment. The decision to dismiss a probationary classified employee cannot be appealed.

#### References

**BP 4116 – Permanent/Probationary Status**

#### Legal References

Ed. Code 35161	Board delegation of any powers or duties
Ed. Code 44009	Conviction of specified crimes
Ed. Code 44010	Sex offense; definitions
Ed. Code 44011	Controlled substance offense

Ed. Code 44940 Compulsory leave of absence for certificated persons  
Ed. Code 44940.5 Procedures when employees are placed on compulsory leave of absence  
Ed. Code 45101 Definitions (including disciplinary action, cause) Ed. Code 45109 Fixing of duties  
Ed. Code 45113 Notification of charges, classified employees  
Ed. Code 45123 Employment after conviction of controlled substance offense  
Ed. Code 45302 Demotion and removal from permanent classified service  
Ed. Code 45304 Compulsory leave of absence for classified persons  
Veh. Code 1808.8 Schoolbus drivers; dismissal for safety-related cause