



CODED CORRESPONDENCE

DATE:

December 4, 2013

NUMBER:

13-15

TO:

All Individuals and Groups Interested in the Activities
of the Commission on Teacher Credentialing

FROM:

Mary Vixie Sandy
Executive Director
Commission on Teacher Credentialing

**SUBJECT: Assembly Bill 449 (Muratsuchi) Educator Misconduct: Reports to Commission
on Teacher Credentialing**

Summary:

Assembly Bill (AB) 449 adds section 44030.5 to the Education Code, concerning the duty of a superintendent or a charter school administrator to report a credential holder's change in employment status to the Commission on Teacher Credentialing.

Key Provisions:

AB 449 specifies that the superintendent of a school district or county or an administrator of a charter school must report certain changes in employment status to the Commission not later than 30 days after the change in employment status, if the credential holder, while working in a position requiring a credential, and as a result of an allegation of misconduct or while an allegation of misconduct is pending: 1) is dismissed or non-reelected; 2) resigns; 3) is suspended or placed on unpaid administrative leave for more than 10 days as a final adverse action; 4) retires; or 5) is otherwise terminated by a decision not to employ or reemploy.

The bill specifies that failure to report is unprofessional conduct and could result in adverse action against the superintendent's or administrator's credential by the Commission. The bill also outlines possible misdemeanor monetary sanctions of not less than \$500 and not more than \$1,000 that may be applied by the criminal justice system for the refusal or willful neglect of a superintendent or charter administrator to make the specified report of educator misconduct to the Commission. In addition, AB 449 requires that all fines levied by the criminal justice system be the personal responsibility of the superintendent of the school district or county office of education, or the administrator of a charter school, and may not be paid or reimbursed with public funds.

Lastly, the bill makes clear that a change in employment status due solely to unsatisfactory performance or reduction in force, as specified, is not an allegation of misconduct prompting initial review by the Commission's Committee of Credentials.

Important Dates:

The effective date of this measure is January 1, 2014.

References:

AB 449

Title 5, California Code of Regulations, section 80303.