

WHAT ARE COMMISSION AND ADVERSE ACTIONS?

Information concerning ongoing disciplinary investigations is confidential and is not displayed online. However, adverse actions imposed by the Commission are public and displayed online. Additional information regarding the Division of Professional Practices and educator discipline is available [here](#).

What is an adverse action?

An adverse action is a denial, a private admonition, a public reproof, suspension or revocation of one or more credentials.

What actions can be taken and what do they mean?

The Commission can take the following actions:

Denial. A denial is the refusal to grant an application for a credential to a person whose conduct comes within the provisions of Education Code sections 44345 and 44346. The two types are denials by operation of law and discretionary denials. Both are adverse actions.

- Discretionary denials. One of the adverse actions the Commission may impose is to deny an application.
- Denials by operation of law. The law requires the Commission to deny an application if the applicant has been convicted of specified criminal offenses.

Probation. After probable cause is found for an adverse action, the individual and the Commission may enter into a settlement that includes terms which provide for the protection of the public, schoolchildren and the profession. The settlement may include probation. Probation has terms, such as postponing the adverse action and requiring the probationer to attend rehabilitation programs, submit to random drug tests for several years, or counseling. Among the terms may be a “stayed” adverse action. This is an adverse action.

Private admonition. A private admonition is a written warning to the credential holder that any repetition of such act or omission may result in denial, suspension, or revocation of the credential. At the time of the admonition, the credential holder's employer receives a copy of the admonition, otherwise the admonition remains confidential and will not display on the online search. The Commission and employers must expunge all records pertaining to the private admonition after three years, as long the offense does not reoccur. This is an adverse action.

Public reproof. A public reproof is a public warning from the Commission that the conduct is not appropriate for a credential holder. Commission of the same or similar misconduct may result in a more serious adverse action. This is an adverse action.

Reinstatement. A person whose credential was revoked or suspended may wait one year and request that the Commission reinstate the revoked credential. If the Commission finds the person was rehabilitated, it may reinstate the credential.

Revocation. Revocation is the termination of an individual's ability to work in a position requiring certification. Once effective, the revocation continues unless and until the Commission reinstates the credential. The two types of revocation are revocation by operation of law and discretionary revocation, both are adverse actions. Self revocations (explained below) also result in the termination of an individual's ability to work in a position requiring certification.

- Revocation by operation of law. The law requires the Commission to revoke an educator's credential when they are convicted of specified offenses.
- Discretionary revocation. One of the adverse actions the Commission may impose is to terminate an educator's ability to work in a position requiring certification.

Self revocation. There are two types, self revocation with no known allegations of misconduct and self revocation while allegations of misconduct are pending. Both types of self revocations and revocations (described above) result in the termination of an individual's ability to work in a position requiring certification. Self revocations before June 1, 2012 may show as a revocation on the online search, contact the Commission for additional information.

- Self revocation - no known allegations of misconduct. Educators may ask the Commission to revoke their credential because they no longer wish to hold that credential. This is not an adverse action.
- Self revocation - while allegations of misconduct are pending. Educators may ask the Commission to revoke their credential while they are under review by the Commission for misconduct. The Commission may grant the self revocation and still proceed under its discretionary review process.

Suspension. Suspension is the temporary inactivation of a credential for a specified period. If a suspension is imposed, the credential holder may not work in a position requiring a credential during the suspension. The three types of suspension are by operation of law, discretionary and indefinite.

- Suspension by operation of law. The law requires the Commission to suspend an educator's credential when he/she is charged with a specified offense. If convicted, the

Commission will revoke the educator's credential. If the educator is not convicted, the Commission will reinstate the credential and may pursue action under its discretionary process. This type of suspension is not an adverse action and displays on the online search only when the credentials are suspended.

- Discretionary suspension. One of the adverse actions the Commission may impose is to suspend an educator's credential. The credential holder may not work in a position requiring a credential during the suspension. This is an adverse action.
- Indefinite suspension. The Commission, after a hearing, may suspend an educator's credential if the educator constitutes a health hazard or is unfit to perform the duties authorized by the credential because of a disease or defect of the mind or body. This action is not an adverse action and displays on the online search only when the credentials are suspended.