

PERSONNEL

File: GCPD-R

PROFESSIONAL STAFF DISCIPLINE

Probation and Dismissal

1. A teacher may be placed on probation or dismissed for incompetency, immorality, non-compliance with school laws and regulations, disability in accordance with state and federal law, conviction or a felony or crime of moral turpitude or other good and just cause.
2. A teacher shall be dismissed if he/she is the subject of a founded child abuse and neglect case pursuant to Code of Virginia, 1950, as amended Section 63.2-1505 and after all rights to appeal provided by Virginia Code 63.2-1526.
3. Once a teacher is the subject of a founded child abuse and neglect case and has exhausted all rights to appeal, the Superintendent shall recommend revocation of the teaching license from the State Board of Education. The request of revocation shall be made within 10 business days following the final decision from the appeal or acceptance of the resignation.
4. A copy of the procedures used for the investigation of child abuse and neglect cases shall be located in the office of the principal at each location, in the office of the Director of Human Resources and available upon request.
5. Revocation of license shall also be requested for any conviction of a felony or any crime involving sexual molestation, physical or sexual abuse or rape of a child or any offense involving drugs.

Suspension

1. Any Charlottesville City Schools employee may be suspended for good and just cause when the safety and welfare of the division or the students therein are threatened or when the employee has been charged by summons, warrant, indictment, or information with the commission of a felony, a misdemeanor involving sexual assault, obscenity, drugs, moral turpitude, physical, sexual abuse or neglect of a child, or an equivalent offense in another state (Exact information about the causes may be found in the policy and appropriate legal references.)
2. An employee may not be suspended longer than 60 days except when suspended for summons, warrant, indictment, or information with the commission of a felony or any of the above-listed offenses.

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3. No employee shall be suspended for longer than five days without written notice of the reasons for the suspension and an opportunity for a hearing before the School Board.
4. Any employee suspended shall continue to receive his/her salary unless a hearing is held with the School Board and the decision is made for the suspension to be without pay.
5. If the School Board requests that an employee be a subject of a polygraph test as a part of an investigation and the employee refuses, the refusal shall not be grounds for a suspension.
6. If the School Board holds a hearing and determines that the suspension shall be without pay, an amount equal to the pay of the employee shall be placed in an interest-bearing escrow account until the resolution of the investigation.
7. If the employee is cleared of the charge, the employee shall receive the salary plus any accrued interest and shall be reinstated to the school division. The assignment will be determined by the Superintendent and shall be at the same pay rate as before the suspension. Any changes in assignment must follow the regulations GCI.
8. If the employee is found guilty and has exhausted all appeals, the salary and accrued interest shall remain the property of the school division and may be returned to the general operating fund.
9. If an employee is suspended or dismissed based on information received on a criminal history background check, the employee shall be provided a copy of the report used to make that decision.
10. If a court places a CCS employee on probation pursuant to Va. Code 18.2-251, that finding will be treated as a conviction or a finding of guilt.

Failure to Perform Non-Emergency Health-Related Services

1. Licensed instructional employees, instructional aides and clerical personnel shall not be disciplined, placed on probation or dismissed solely for refusing to provide non-emergency health-related services to students or refusing to participate in training in the administration of insulin or glucagon.
2. This provision does not apply to administrative personnel and individuals employed to perform health-related services for students.

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3. Instructional aides and clerical personnel may not refuse to administer oral medication to students.

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Legal References: Code of Virginia, 1950, as amended Sections 18.2-251, 22.1-274
(D), 22.1-296.2, 22.1-307, 22.1-313, 22.1-315

Cross References: GCE Part-Time and Substitute Staff Employment
GCG Professional Staff Probationary Term and
Continuing Contract
GCDA Effect of Criminal Conviction or Founded
Complaint of Child Abuse or Neglect
GCPF Suspension of Staff members
JHC Student Health Services and Requirements