

**San Diego Unified School District
Proposal To The
San Diego Education Association
Successor Collective Bargaining**

**SDEA Proposal Passed September 7, 2017
District Counter Proposal Passed September 21, 2017**

ARTICLE 33 – LETTERS OF REPRIMAND & SUSPENSIONS

Section 33.1: PURPOSE

The intent of this Article is to establish a process for progressive actions which may lead to a letter of reprimand, or to a suspension to which this Article applies.

Section 33.2: LETTERS OF REPRIMAND

33.2.1. The steps set forth below will be followed with respect to unit members whose performance or conduct warrants action by his/her supervisor. Reasons for a letter of reprimand include, but are not limited to, unsatisfactory performance, unprofessional conduct, and persistent violation of or refusal to obey the school laws of the state or reasonable regulations prescribed by the governing board of the school district.

33.2.1.1. Verbal warning (Oral only, not provided in writing)

33.2.1.2. Written warning (Maintained in unit member's site or program personnel file)

33.2.1.3. Letter of Reprimand (Maintained in unit member's district personnel file)

The supervisor shall have the discretion to determine the number of verbal and written warnings prior to issuing a written reprimand.

33.2.2. In cases of egregious conduct, the supervisor may issue a letter of reprimand without previously having issued either a verbal or written warning.

Section 33.3: SUSPENSIONS

33.3.1. The suspension procedures in this Section are adopted pursuant to Government Code Section 3543.2. These procedures exclusively govern unit member suspensions without pay up to fifteen (15) days. Nothing herein shall be construed to deny to the Board of Education rights prescribed by law.

33.3.2. Unit members may be suspended for any of the reasons set forth in the Education Code Section 44932. These reasons include, but are not limited to: unsatisfactory performance, unprofessional conduct, and persistent violation of or refusal to obey the school laws of the state or reasonable regulations prescribed by the governing board of the school district.

33.3.3. Except in cases of egregious conduct by a unit member, before a unit member is recommended for suspension he/she shall have been apprised of his/her performance

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deficiencies by each of the following methods: one verbal warning, one written warning, and one letter of reprimand.

33.3.4. Unit members to be suspended shall be provided a written statement of the charges forming the basis for the suspension.

Section 33.4: EXCLUSIONS

33.4.1. This Article does not apply to or impose conditions for the dismissal of unit members or the non-reelection of probationary unit members. This Article also does not apply to the issuance of notices of unprofessional conduct or the issuance of notices of unsatisfactory performance relating to dismissals or relating to suspensions not covered by this Article. These matters shall be governed exclusively by the Education Code.

33.4.2. Written reprimands and suspensions covered by this Article shall be subject to the grievance procedure.

33.4.2.1 The District and the Association agree that any suspension(s) appealed will be filed directly at Step 4 of the grievance procedure as outlined in Article 15, and will be heard by an arbitrator. Such appeal of suspension must be received by the District thirty (30) days from the date of Board approval of the suspension charges.

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