

Montebello Teachers Association/California Teachers Association • 918 W. Whittier Blvd. Montebello CA • (323) 722-5005

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## We Honor Peace in Wake of Gun Violence



In coordination with the "March for Our Lives" nationwide events, the Association sponsored a Peace Tree at the March 24 "Discover Montebello Showcase". Pictured from left to right: High School Director Elizabeth Kocharian, President Doug Patzkowski, and Elementary Director Jessica Zwaal.



## Teachers May Suspend Students from Class

Education Code 48910 states that a teacher may suspend any pupil from the teacher's class, for any of the acts enumerated in Section 48900, for the day of the suspension and the day following. This includes "willful defiance" as a reason to suspend from the class. AB 420 Dickinson excludes "willful defiance" as a reason to expel a student; however it does not exclude the reason for suspension by the teacher or by the district.

The teacher shall immediately report the suspension to the principal of the school and send the pupil to the principal or the principal's designee for appropriate action. If that action requires the continued presence of the pupil at the school site, the pupil shall be under appropriate supervision, as defined in policies and related regulations adopted by the governing board of the school district. As soon as possible, the teacher shall ask the parent or guardian of the pupil to attend a parent-teacher conference regarding the suspension. Whenever practicable, a school counselor or a school psychologist shall attend the conference. A school administrator shall attend the conference if the teacher or the parent or guardian so requests.

The pupil shall not be returned to the class from which he or she was suspended, during the period of the suspension, without the concurrence of the teacher of the class and the principal.

A pupil suspended from a class shall not be placed in another regular class during the period of suspension. However, if the pupil is assigned to more than one class per day this subdivision shall apply only to other regular classes scheduled at the same time as the class from which the pupil was suspended.

A teacher may also refer a pupil, for any of the acts enumerated in Section 48900, to the principal or the principal's designee for consideration of a suspension from the school. Suspension from the school is determined by the administration.

## Teachers Must Participate in Discipline Committees

While every teacher has a general duty to maintain custody and control over their students, school districts have the legal responsibility to establish and enforce the discipline policy which circumscribes teachers' supervisory efforts. This means that the Board members and administrators are responsible for general school administration, including enforcement of the school district's discipline policy. (5 Cal. Code Reg. § 35294.)

Additionally, each school must adopt rules and procedures on student discipline. After soliciting the views of parents, teachers, and other interested parties, the rules shall be adopted by a panel consisting of the school principal and a teacher representative. It is the duty of each employee to enforce these rules and procedures. (Ed. Code § § 35291, 35291.5)

Over, please...

## **Accruing Sick Leave May Be Very Beneficial to You Over Time**

Each year Bargaining Unit members accrue sick leave. Full time TK-12 Bargaining Unit members earn 12 days per year, and Adult Education Bargaining Unit members earn 1 hour per 17 hours of expected work. All sick leave can be accrued and expended in following years.

***Accrued sick leave increases retirement compensation.*** Upon retirement, sick leave is converted to years of service. Thus, if a Bargaining Unit member has accrued 185 days of sick leave, an additional year of service is included in the calculation for retirement benefits.

***Accrued sick leave transfers from one school district to the other.*** If an employee moves out the area and gets a teaching job in another District in California (and some other states) the sick leave transfers by law to the next school district.

***Sick leave allows Bargaining Unit members to retain employment throughout long term illness.*** Upon exhaustion of current and accumulated sick leave, Bargaining Unit members are paid for 100 days at a reduced rate or "Difference Pay". Members of the Catastrophic Leave Bank may be granted up to 60 days of full pay after the exhaustion of difference pay. Following the exhaustion of all leave employees are placed on the re-employment list for 39 months (with permanent status). Once the 39 months have lapsed, the Bargaining Unit member is no longer an employee of the District.

### **Selling Back Sick Days**

Any member can sell back sick days at the end of the year. Payment will be made at the current rate of substitute pay (\$160/day). Requests are due to Payroll no later than **July 8 at 4 p.m.** A form is available on the district website and [montebelloteachers.org](http://montebelloteachers.org).