



# Commission on Teacher Credentialing

Division of Licensure Enforcement

(916) 322-4974

[www.ctc.ca.gov](http://www.ctc.ca.gov)

651 Bannon Street, Suite 602

Sacramento, CA 95811-4213

## MANDATORY LEAVE OF ABSENCE REPORT NOTIFICATION FORM (EDUCATION CODE SECTION 44940)

Name of Credential Holder: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Last Four of SSN: \_\_\_\_\_ Incident Date(s): \_\_\_\_\_

Employment Start Date: \_\_\_\_\_ Employment End Date: \_\_\_\_\_

Type of Leave: \_\_\_\_\_ Beginning Leave Date: \_\_\_\_\_

Current Address: \_\_\_\_\_

Position and Title: \_\_\_\_\_

Arrest Date: \_\_\_\_\_ Arresting Agency & Case #: \_\_\_\_\_

Court Charges Filed In & Case #: \_\_\_\_\_

Offense(s) Charged: \_\_\_\_\_

Did the offense occur on School Property? Yes No If yes, explain when and where:

Employing School District: \_\_\_\_\_ COE: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Contact Number: \_\_\_\_\_

### Please attach the following documents: (if available)

Notification Form  
Cover Letter (Case Summary)  
Law Enforcement Report  
Copy of Complaint File in Court  
Correspondence with Employee  
All Other Relevant Documents

### Relevant Evidence:

Written Statement(s) of:  
Victim(s)  
Witness(es)  
Parent/Guardian(s)  
Contact Information\*  
Name, Address, Phone Number of:  
Victim(s)  
Witness(es)  
Parent/Guardian(s)

**\*NOTE:** Parent permission is obtained prior to interviewing students.

Submit Reports & Supporting Documents To: [Electronic Submission \(https://ecsorganizations.ctc.ca.gov/Account/Login?ReturnUrl=%2F\)](https://ecsorganizations.ctc.ca.gov/Account/Login?ReturnUrl=%2F)

**\*When reporting an educator, please submit one report electronically to the above referenced web address. Duplicative reporting is not necessary.**

**Please Note:** Notifying the Commission of misconduct pursuant to Education Code Section 44940 **does not satisfy** the district's responsibility to notify the Commission of the same misconduct should the district take disciplinary action against the individual pursuant to CCR Title 5, Section 80303. Please submit the appropriate documents & information using the Section 80303 Notification Form.

**EDUCATION CODE section 44940**  
**LEAVE OF ABSENCE; CERTIFICATED EMPLOYEE CHARGED WITH**  
**MANDATORY OR OPTIONAL LEAVE OF ABSENCE OFFENSE;**  
**SUSPENSION OF CREDENTIALS; DEFINITIONS**

(a) For purposes of this section, "charged with a mandatory leave of absence offense" is defined to mean charged by complaint, information, or indictment filed in a court of competent jurisdiction with the commission of any sex offense as defined in Section 44010, or with the commission of any offense involving aiding or abetting the unlawful sale, use, or exchange to minors of controlled substances listed in Schedule I, II, or III, as contained in Section 11054, 11055, and 11056 of the Health and Safety Code, with the exception of marijuana, mescaline, peyote, or tetrahydrocannabinols.

(b) For purposes of this section, "charged with an optional leave of absence offense" is defined to mean a charge by complaint, information, or indictment filed in a court of competent jurisdiction with the commission of any controlled substance offense as defined in Section 44011 or 87011, or a violation or attempted violation of Section 187 of the Penal Code, or Sections 11357 to 11361, inclusive, 11363, 11364, or 11370.1 of the Health and Safety Code, insofar as these sections relate to any controlled substances except marijuana, mescaline, peyote, or tetrahydrocannabinols.

(c) For purposes of this section and Section 44940.5, the term "school district" includes county offices of education.

(d)(1) Whenever any certificated employee of a school district is charged with a mandatory leave of absence offense, as defined in subdivision (a), upon being informed that a charge has been filed, the governing board of the school district shall immediately place the employee on compulsory leave of absence. The duration of the leave of absence shall be until a time not more than 10 days after the date of entry of the judgment in the proceedings. No later than 10 days after receipt of the complaint, information, or indictment described by subdivision (a), the school district shall forward a copy to the Commission on Teacher Credentialing.

(2) Upon receiving a copy of a complaint, information, or indictment described in subdivision (a) and forwarded by a school district, the Commission on Teacher Credentialing shall automatically suspend the employee's teaching or service credential. The duration of the suspension shall be until a time not more than 10 days after the date of entry of the judgment in the proceedings.

(e)(1) Whenever any certificated employee of a school district is charged with an optional leave of absence offense as defined in subdivision (b), the governing board of the school district may immediately place the employee upon compulsory leave in accordance with the procedure in this section and Section 44940.5. If any certificated employee is charged with an offense deemed to fall into both the mandatory and the optional leave of absence categories, as defined in subdivisions (a) and (b), that offense shall be treated as a mandatory leave of absence offense for purposes of this section. No later than 10 days after receipt of the complaint, information, or indictment described by subdivision (a), the school district shall forward a copy to the Commission on Teacher Credentialing.

(2) Upon receiving a copy of a complaint, information, or indictment described in subdivision (a) and forwarded by a school district, the Commission on Teacher Credentialing shall automatically suspend the employee's teaching or service credential. The duration of the suspension shall be until a time not more than 10 days after the date of entry of the judgment in the proceedings.