



Commission on Teacher Credentialing

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Division of Professional Practices

February 15, 2012

John E. Deasy, Ph.D.
Superintendent
Los Angeles Unified School District
333 South Beaudry Avenue, 14th Floor
Los Angeles, CA 90017

Re: Superintendent's Mandatory Reporting Requirement

Dear Dr. Deasy:

Some recent cases within the Los Angeles Unified School District show that timely reports related to dismissal of credentialed employees while allegations of misconduct are pending have not been filed with the Commission on Teacher Credentialing. The failure to file these mandatory reports with the Commission poses a potential risk to student safety.

California Code of Regulations Title 5 §80303 subdivision (a)(5) states that whenever a credential holder, working in a position requiring a credential "is otherwise terminated . . . as a result of an allegation of misconduct or while an allegation of misconduct is pending, the Superintendent of the employing school district shall report the change of employment status to the Commission not later than 30 days after the employment action." (*Emphasis added*). Furthermore, subdivision (d) of the same regulation states: "[f]ailure to make a report required under this section constitutes unprofessional conduct. The Committee may investigate any superintendent who holds a credential who fails to file reports required by this section." (*Emphasis added*).

In one recent case we have no record of a report related to the teacher after the final settlement was reached and were only notified that the teacher was charged with multiple counts of lewd acts upon children more than six months after final settlement was reached by your District with the credential holder. Although the Commission is aware that errors can occur, please be aware of the potential for harm to students by not meeting your mandatory requirement to report information to the Commission when credential holders separate while charges of misconduct are pending.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nanette Rufo', is written over the typed name.

Nanette Rufo
Director and General Counsel

Ensuring Educator Excellence