

## ARTICLE IX-D

### TEMPORARY REASSIGNMENTS PENDING INVESTIGATION

1.0 Consultation Meetings Regarding Temporary Reassignments Pending Investigation and Resolution of Allegations of Misconduct: ~~The LAUSD Chief Human Resources Officer~~ Chief of School Operations, or designee shall meet with the UTLA President or Executive Director at least once per month to report and discuss the status and duration of the investigations of reassigned employees.

2.0 Basis for Temporary Reassignment: Temporary Reassignments pending investigation are not to be regarded as an indication of culpability or a punitive action. If the allegations give rise to concerns about student, staff or workplace safety and security, a temporary reassignment may be made. If the alleged misconduct, even if true, would not give rise to such concerns, the employee under investigation is to remain assigned at the site during the investigation. Also, employees who have been made aware of the fact that they are under investigation are obligated to avoid any direct or indirect contact with potential witnesses or any other conduct affecting the integrity of the investigation, and may be reassigned due to failure to do so.

3.0 Notice of Reasons for Temporary Reassignment Pending Investigation: In the event of a temporary reassignment to a different school (or to home), the employee shall be notified within five work days of the general nature of the allegations, the year in which the alleged incident triggering the reassignment occurred, and the category of the alleged victim, i.e. student, employee, school-related adult, or other community member.

4.0 Time Goals for Completion of Administrative Investigations: Student, staff, and workplace safety and security shall be the primary factor in determining the length of time for completion of investigations. The parties agree that administrative investigations of reassigned employees should be completed as quickly as practicable, with a goal of ninety (90) work days. The parties recognize that factors such as investigations involving outside law enforcement agencies and/or the District Inspector General may impact the District's goal of achieving completion of administrative investigations within ninety (90) work days. Should the District anticipate the investigation continuing beyond the goal of (90) work days, the district will notify the employee and UTLA and provide a reason(s) for the delay no later than five work days prior to the 90<sup>th</sup> work day. This requirement regarding notification of delay and reason for delay does not apply to (1) investigations involving law enforcement, (2) investigations pending disposition of a lawsuit in which the unit member and the district are party

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litigants, and (3) investigations under the jurisdiction of the Office of the Inspector General.

a. For investigations conducted by SSIT, the clock for 90 work days begins to run on the date of receipt by SSIT of a request to investigate.

5.0 Notice of Completion of Investigation: ~~Within 15 work days following~~ Upon the completion of the investigation, conducted by SSIT, the district shall furnish a notice to the employee apprising the employee of the completion of the investigation. ~~‡~~The District will determine next steps, and notify the employee of the results of the investigation and of any impacts upon their reassigned status, **all employees will be informed of any proposed discipline within 30 days.** No fewer than five work days prior to issuance of any discipline, a written summary of the allegations and alleged policy violations shall be provided to the employee. In the case of an employee who is to be retained in District employment, it shall also determine whether the employee is to be assigned to his or her previous location; if for any reason that previous assignment is not available or deemed inappropriate, the employee shall be assigned to a comparable position in the same local district as the previous assignment. To the extent possible, employees who are expected to report to their assignment on the first day of school shall be notified at least three weeks prior to the beginning of school year.