



# Val Verde Unified School District

975 W Morgan Street • Perris, CA 92571 • 951-940-6100

October 15, 2014

**BOARD OF EDUCATION:**

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Human Resources*

**NOTICE OF PROPOSED INTENT TO IMMEDIATELY SUSPEND WITHOUT PAY  
AND RECOMMEND DISMISSAL, AND STATEMENT OF CHARGES**

Daniela Andrade  
3738 Avondale Street  
Perris, CA 92571

Dear Ms. Andrade:

Pursuant to California Education Code sections 45113 and 45116, Article 20 of the Agreement between the District and the California School Employees Association and its Local Chapter 567, and District Administrative Regulation ("AR") 4218, you are hereby given notice of the District's proposed intent to immediately suspend you without pay and to recommend that you be dismissed from your position as a classified employee effective immediately upon completion of the hearing process.

The causes for your proposed immediate suspension without pay and dismissal, any one of which is sufficient grounds under AR 4218, are set forth below in this Notice and Statement of Charges. In accordance with AR 4218, the proposed immediate suspension without pay is based upon the District's determination that your continuing in active duty status would present an unreasonable risk of harm to students, staff, or property while proceedings are pending.

**CAUSES FOR SUSPENSION WITHOUT PAY AND DISMISSAL**

Under AR 4218, there exists cause to suspend without pay and to dismiss Daniela Andrade, a permanent classified employee of the Val Verde Unified School District, for:

1. Immoral Conduct. [AR 4218(1)(k)]
2. Discourteous treatment of the public, students, or other employees. [AR 4218(1)(l)]
3. Violation of District, Board or departmental rule, policy, or procedure. [AR 4218(1)(p)]

4. Unlawful discrimination, including harassment, on the basis of race, religious creed, color, national origin, ancestry, physical handicap, marital status, sex, or age against the public or other employees while acting in the capacity of a district employee. [AR 4218(1)(t)]
5. Any other failure of good behavior either during or outside of duty hours which is of such nature that it causes discredit to the district or his/her employment [AR 4218(1)(v)]

#### RELEVANT PRIOR HISTORY

On or about September 25, 2013, you attended sexual harassment training, wherein you were presented with specific information and documentation concerning inappropriate sexual conduct in the workplace. In an investigatory interview that took place on October 3, 2014, you admitted that you attended this training.

*Refer to Certificate of Completion of Sexual Harassment Training, dated September 25, 2013, attached as Exhibit A.*

#### STATEMENT OF CHARGES

The specific acts or omissions which constitute the charges and substantiate each of the above causes for your suspension without pay and dismissal include the following:

1. On or about September 19, 2014, in the presence of students and co-workers you touched the breasts of co-worker [redacted] without her consent. Specifically, during a birthday celebration some of the office staff at Vista Verde Middle School was having for you, you told [redacted] "I have always wanted to do this," and without prompting, you placed your hand in the cleavage between [redacted] breasts. While your hand was placed between [redacted] breasts, you made an "ummm" sound. In an investigatory interview that took place on October 3, 2014, you admitted to touching Ms. [redacted] breasts. You also admitted that it was not appropriate to touch her.

Your misconduct was in contradiction of the sexual harassment training you attended in September 2013, and was a violation of District Board Policy and Administrative Regulation 4219.11 which prohibits employees from engaging in:

Unwelcome physical conduct such as massaging, grabbing, fondling, stroking or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over or impeding normal movements.

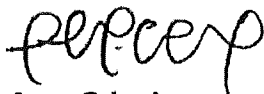
*Refer to Declaration of [redacted] dated September 22, 2014, attached as Exhibit B.  
Refer to Declaration of Ruth Amezcua, dated September 23, 2014, attached as Exhibit C.  
Refer to Declaration of Darline Indococha, dated September 22, 2014, attached as Exhibit D.*

*Refer to Declaration of Melissa Sotelo, dated September 22, 2014, attached as Exhibit E.  
Refer to Board Policy and Administrative Regulation 4219.11 attached collectively as Exhibit  
F. Refer also to Exhibit A.*

Before the administration makes a final determination concerning a recommendation for your suspension without pay and dismissal, you have the right to respond to the charges. For this purpose, the District has scheduled an informal meeting in the office of Juan Cabral, Director of Human Resources on Thursday, October 23, 2014, at 8:30 am. After the informal conference, the District will determine whether to proceed with disciplinary action or to discontinue the matter based upon the information available, including your response to the charges if any.

Enclosed for your information are copies of Education Code sections 45113 and 45116, Article 20, and AR 4218. Pursuant to Education Code section 44031, you are hereby notified that this document and its attachments will be placed in your personnel file after ten (10) days. You have a right to submit a written response to be attached and included in your file.

Sincerely,



Juan Cabral  
Director of Human Resources

Enclosures: Education Code sections 44031, 45113 and 45116  
District Administrative Regulation 4218  
Exhibits A - F

