BP 7365 DISMISSAL, SUSPENSION OR DEMOTION

Cause for Dismissal, Suspension or Demotion.

The continued employment of permanent classified employees is contingent upon proper performance of assigned duties and personal fitness. A permanent employee may be demoted, suspended or dismissed for cause, which shall include but not be limited to, the following:

- Incompetence, inefficiency, inattention to or dereliction of duty, lack of ability or failure to perform the assigned duties in a satisfactory manner;

- Insubordination, failure to obey reasonable directions or observe reasonable rules of school district superiors, or willful and persistent violation of the provisions of safety rules or regulations made applicable to the College by any appropriate state or local agency;

- Conviction of any felony: conviction of a misdemeanor involving moral turpitude; dishonesty, immoral conduct, drunkenness on duty; intemperance, addiction to or use of narcotics; fraud in obtaining employment or falsifying any information supplied to the College District, including but not limited to, information supplied on application forms, employment records or other District records;

- Political activity during the assigned hours of duty;

- Advocacy of the overthrow of federal, state or local government by force, violence or other unlawful means;

- Persistent discourteous treatment of the public, students, or of fellow employees or other willful failure of good conduct tending to injure the public service;

- Continual involvement of the District concerning employee's credit problems;

- Incapacity due to mental or physical disability;
Absence from duty without leave, repeated unexcused tardiness, abuse of illness leave privileges or abandonment of position;

Negligence or willful damage to College property or evidence of commitment of an unlawful act;

Employment elsewhere that interferes with efficiency in performance of duty;

Refusal to testify before a commission;

Causing a low morale in the organization;

Willful violation of any policy;

Offering anything of value or any service in exchange for special treatment in connection with employment, or accepting anything of value or any service in exchange for granting any special treatment to another employee or to any member of the College staff or the public.

Adopted: No date
Revised:

(Replaces Board Policy 5920)
AP 7365 DISMISSAL, SUSPENSION OR DEMOTION

Procedure for Dismissal, Suspension or Demotion

The following procedure shall be followed for dismissal, suspension or demotion of classified personnel:

A permanent classified employee may be suspended, demoted or dismissed by the Board of Trustees upon the recommendation of the Superintendent/President. The Superintendent/President, when recommending such disciplinary action, shall file with the Board written charges in support of the recommendation. If the Board approves the recommendation, the employee shall be notified in writing within three calendar days.

Notification to the employee of disciplinary action approved by the Board shall be sent to the employee at the last address of official record with District via U.S. certified mail.

The notification to the employee shall contain the following:

A statement of the specific charges brought against the employee;

A statement that the employee has a right to a hearing on such charges;

The time within which such hearing may be requested by the employee: within fourteen (14) days after service of the notice to the employee;

A card or paper, the signing and filing of which shall constitute a demand for hearing, and a denial of all charges.

Within forty (40) days after receipt of a demand for a hearing by a permanent employee who has been suspended, demoted or dismissed, the Board shall hold such hearing at a time and place designated by the Board. The employee and the Board shall be afforded equal opportunity to present evidence. At the close of the hearing, the Board
shall render its decision, which shall be final.

Approved: No date
Revised:

(Replaces Administrative Procedure 5920.01)