

BP 7365 Discipline and Dismissal, Classified Employees

The CEO shall enact procedures for the disciplinary proceedings applicable to permanent classified employees of the District. Such procedures shall conform to the requirements of the Education Code.

The Board's determination of the sufficiency of the cause for disciplinary action of a classified employee shall be conclusive.

Probationary employees may be dismissed at the recommendation of the CEO to the Board of Trustees.

A permanent member of the classified service shall be subject to disciplinary action, including, but not limited to, oral reprimand, written reprimand, reduction in pay, demotion, suspension, or discharge, for any of the following grounds found in the administrative procedures associated with this policy.

No disciplinary action shall be taken for any cause that arose more than two years preceding the date of the filing of any charge against the employee, unless the cause was concealed or not disclosed by the employee when it could be reasonably assumed that the employee should have disclosed the facts to the District.

This policy applies to classified employees, classified confidential employees and classified management staff.

- A. A permanent member of the classified employee groups above shall be subject to disciplinary action, including, but not limited to, oral reprimand, written reprimand, reduction in pay, demotion, suspension, or discharge, for any of the following grounds: Unsatisfactory attendance, such as:
 1. Repeated absence without notification
 2. Excessive absence
 3. Repeated unexcused absence or tardiness
 4. Abandonment of position
 5. Abuse of sick leave privilege
 6. Incarceration adversely affecting job performance
 7. Failure to keep the District informed of the date of expected return to duty.
 8. Working overtime without authorization.
- B. Unsatisfactory conduct, such as:
 1. Conviction of a felony
 2. Conviction of a crime involving moral turpitude
 3. Immorality
 4. Discourteous, offensive, or abusive conduct or language toward another employee, a student or a member of the public.
 5. Dishonesty
 6. Reporting for work while intoxicated, drinking alcoholic beverages on the job, working while under the influence of alcohol or possession of alcoholic beverages on District property
 7. Addiction to the use of narcotics or controlled substances, using such substances on the job, working while under the influence of controlled substances not taken by lawful prescription or possession of illegal drugs or narcotics on District property

8. Conviction or proof of commission of any sex offense as defined in the Education Code 87010 or Penal Code 261.5
 9. Conviction or proof of commission of any narcotics offense as defined in Education Code 87011 or Health and Safety Code 11361
 10. Falsifying any information supplied to the District, including but not limited to, information supplied on application form, employment records, or any District records
 11. Altering or falsifying records of the District
 12. Repeated malingering during the work day
 13. Engaging in political activities during work hours
 14. Unauthorized release of personal information concerning any student
 15. Possession of dangerous weapons or firearms on District property.
- C. Unsatisfactory fulfillment of job responsibilities such as:
1. Incompetency or inefficiency in the performance of the duties of the position
 2. Insubordination including, but not limited to, refusal to do assigned work
 3. Carelessness or negligence in the performance of duty or in the care and use of District property
 4. Misuse or misappropriation of property or funds
 5. Willful violation of the Education Code, Title V of the California Administrative Code, any other administrative code, or any rules of the Governing Board, or any lawful regulation or order made by a line superior, or safety rules or regulations
 6. Loss or non-renewal of licenses, permits, or other documents required by the nature of the position
 7. Receipt by the District from the District's insurance carrier of a request for an endorsement excluding the employee from coverage under the District's insurance policy while driving a motor vehicle because of increased risk due to the employee's poor driving record
 8. Violation of firearms guidelines for security patrol officers
 9. Physical inability to perform duties of the assignment
 10. Refusal to take a physical examination when requested to do so in writing by the District.
- D. Other reasons, such as:
1. Advocacy of the overthrow of federal, state, or local government by force, violence or other unlawful means
 2. Membership in the Communist Party
 3. Other failure of good behavior either during or outside of duty hours which is of such a nature that it causes discredit to the District.

See Administrative Procedure 7365

Approved 05/14/08