

Policy Change	<input checked="" type="checkbox"/>	Constituency Group Review	<input checked="" type="checkbox"/>
Procedure Change	<input type="checkbox"/>	District Council	<input type="checkbox"/>
New Policy	<input type="checkbox"/>	Board 1 st Reading	<input type="checkbox"/>
New Procedure	<input checked="" type="checkbox"/>	Board 2 nd Reading	<input type="checkbox"/>

KEY:
BOLD= new language
~~strikethrough=~~ delete language

Comments:
 Added reference to policy
 Procedure is legally required

Referred to:

Edited:
 3/26/14



Policy

7365 Discipline and Dismissals- Classified Employees

The Chancellor shall enact procedures for the disciplinary proceedings applicable to permanent classified employees of the District and in accordance with the Agreement between the California School Employees Association, Chapter 420 and 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.

No disciplinary action shall be taken for any cause that arose prior to the employee becoming permanent, of for any cause that arise 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.

A permanent member of the classified service shall be subject to disciplinary action, including, but not limited to, formal warning, written reprimand, involuntary demotion, suspension without pay, or discharge, for any of the following grounds:

- **Unauthorized absences**
- **Chronic, unexcused tardiness**
- **Verified abuse of sick leave or other leaves**
- **Willful damage or misuse of District property**
- **Discourteous, offensive, or abusive conduct or language toward other employees, students, or the public**
- **Sexual Harassment**
- **Willful or persistent violation of Federal or State Law or District policies and administrative procedures**
- **Conviction of a felony**
- **Conviction of any crime involving moral turpitude**
- **Dishonest acts related to employment with the District including but not limited to misappropriation of District Property**

- 1 • Physical or mental condition unfitting him/her for service as determined by a qualified health
- 2 care professional
- 3 • Incompetence
- 4 • Insubordination
- 5 • Carelessness, inefficiency or negligence in the performance of duty
- 6 • Failure to maintain licenses or certificates required by law for the job
- 7 • Unauthorized use, or possession or being under the influence of alcohol or controlled
- 8 substances on District property or while on duty
- 9 • Failure to disclose material facts on application forms or employment records concerning
- 10 material matters
- 11 • Offering and/or accepting anything of value or service in exchange for and/or granting of
- 12 special treatment in connection with employment to another employee or to any member of
- 13 the District staff or the public
- 14 • Abandonment of position

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16 The Chancellor may recommend to the Board of Trustees dismissal, suspension **without pay**,

17 **involuntary** demotion or other disciplinary action for cause of any employee in the classified service.

18 Causes for dismissal, suspension **without pay, involuntary** demotion or other disciplinary action of an

19 employee in the classified service are identified in the collective bargaining Agreement between the

20 Yosemite Community College District and the California School Employees Association, Chapter 420.

21
22 **Reference:**

23 Education Code Section [88013](#); **CSEA Chapter 420 Collective Bargaining Agreement** ; **Government Code**

24 **Sections 3300 et seq.**

25
26 **Adopted:** June 28, 2004

27 **Revisions Adopted:** July 11, 2007, February 9, 2011

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Administrative Procedure

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- Abandonment of position

Reference:

Education Code Section 88013; Government Code Sections 3300 et seq.

Procedure Last Revised: