Policy Change ☒  Constituency Group Review ☒
Procedure Change ☐  District Council ☐
New Policy ☐  Board 1st Reading ☐
New Procedure ☐  Board 2nd Reading ☐
Comments:
Added reference to policy
Procedure is legally required

KEY:
BOLD= new language
strikethrough= delete language

Edited:
3/26/14

Yosemite Community College District Policies and Administrative Procedures  No. 7365

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

The Chancellor may recommend to the Board of Trustees dismissal, suspension without pay, involuntary demotion or other disciplinary action for cause of any employee in the classified service. Causes for dismissal, suspension without pay, involuntary demotion or other disciplinary action of an employee in the classified service are identified in the collective bargaining Agreement between the Yosemite Community College District and the California School Employees Association, Chapter 420.

Reference:
Education Code Section 88013; CSEA Chapter 420 Collective Bargaining Agreement; Government Code Sections 3300 et seq.

Adopted: June 28, 2004
Revisions Adopted: July 11, 2007, February 9, 2011
## Administrative Procedure

### 7365 Discipline and Dismissals- Classified Employees

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**Reference:**

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

**Procedure Last Revised:**