

HARTNELL COMMUNITY COLLEGE DISTRICT

BP 7362 Discipline and Dismissal – Classified and Educational Administrators

The Superintendent/President shall enact procedures for the disciplinary proceedings applicable to classified and educational administrators. Such procedures shall apply to administrators who are not tenured College faculty, are not covered by one of the College's collective bargaining agreements, or are not covered by an individual employment contract (hereinafter "Administrators"). Such procedures shall not apply to any employee in a probationary period of employment. Such procedures shall define the conditions and processes for dismissal, discipline, and due process and ensure they are available for Administrators.

For classified administrators who have completed a probationary period and become permanent employees under Education Code section 88013, no disciplinary action shall be taken for any cause that arose prior to the employee becoming permanent or for any cause that arose more than two (2) years preceding the date of the filing of any charge against the Administrator, unless the cause was concealed or not disclosed by the Administrator when it could be reasonably assumed that the Administrator should have disclosed the facts to the District.

An Administrator shall be subject to disciplinary action, including, but not limited to, oral reprimand, written reprimand, suspension, or discharge, for any of the following grounds:

1. Immoral conduct;
2. Unprofessional conduct;
3. Dishonesty;
4. Evident unfitness for service;
5. Persistent violation of, or refusal to obey, the school laws of the state or reasonable regulations prescribed for the government of the community colleges by the Board of Governors, the Governing Board of the District, or a College Department.
6. Conviction of a felony or of any crime involving moral turpitude;
7. Fraud in securing employment or making a false statement on an application for employment or promotion.
8. Incompetence, i.e., inability to comply with the minimum standard of the Administrator's position for a significant period of time.
9. Inefficiency or inexcusable neglect of duty, i.e., failure to perform duties required of the Administrator in the position.
10. Willful disobedience and insubordination, a willful failure to submit to duly appointed and acting supervision, conform to duly established orders or directions of, or insulting or demeaning the authority of a supervisor, including but not limited to the Superintendent/President and/or the Board of Trustees.
11. Being impaired by or under the influence of alcohol or illegal drugs, or narcotics, (including marijuana) while on duty, which could impact the ability to do the job.

- 12.** The conviction of either a felony or any crime involving moral turpitude shall constitute grounds for dismissal of any administrator. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred.
- 13.** Improper or unauthorized use of District property.
- 14.** Refusal to subscribe to any oath or affirmation which is required by law in connection with District employment.
- 15.** Mental or physical impairment which renders the Administrator unable to perform the essential functions of the job without reasonable accommodation or without presenting a direct threat to the health and safety of self or others.
- 16.** Acceptance from any source of a reward, gift, or other form of remuneration in addition to regular compensation to an Administrator for the performance of his or her official duties.
- 17.** Falsification of any information supplied to the District, including but not limited to application forms, employment records, or any other District record.
- 18.** Personal conduct unbecoming to an agent or employee of the District. An agent is someone who represents the District to the student or the public.

See Administrative Procedure 7362

Adopted by Board of Trustees: October 1, 2019