

1 **HUMAN RESOURCES**2 **BP 7365 DISCIPLINE AND DISMISSAL – CLASSIFIED EMPLOYEES**3 **References:**

4 Education Code Section 88013;

5 Government Code Sections 3300-3313 (Peace Officers' Bill of Rights)

6 The Superintendent/President shall enact procedures for the disciplinary proceedings  
7 applicable to permanent classified employees of the District. Such procedures shall  
8 conform to the requirements of the applicable law and employee handbooks.  
9 Disciplinary procedures for employees represented by an exclusive bargaining  
10 representative, such as CCE/AFT, are contained in the appropriate collective bargaining  
11 agreement, and nothing herein applies to such employees.

12 The District utilizes progressive discipline, which involves both informal and formal  
13 discipline. Informal discipline is primarily corrective in nature, and does not involve  
14 potential loss of property interests. Informal discipline includes adverse or negative  
15 evaluations, warnings, reprimands, directives and the denial of any leave. These  
16 actions may be used in attempts to resolve problems informally prior to imposing formal  
17 disciplinary action.

18 Formal discipline refers to disciplinary actions, penalties, and/or settlements including  
19 dismissal, suspension, or demotion without the classified employee's voluntary consent,  
20 and which are subject to due process because of the potential deprivation of an  
21 employee's property interest. A permanent classified employee may be subject to  
22 formal discipline by the District for cause. The Board's determination of the sufficiency  
23 of the cause for formal disciplinary action of a classified employee shall be conclusive.

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