

**CLASSIFIED PERSONNEL**Dismissal/Suspension/Disciplinary Action

Newly hired and promotional classified employees shall be given a six (6) month probationary period during which the employee's performance should be evaluated in writing not less than once. During the probationary period, employees shall have no property rights interest in the position and may be dismissed for any reason not prohibited under law and without advance notice at the discretion of the Superintendent or designee.

The Superintendent expects all employees to perform their jobs satisfactorily and exhibit professional and appropriate conduct. A classified employee may be disciplined for unprofessional conduct or unsatisfactory performance in accordance with law, any applicable collective bargaining agreement, and the rules of the personnel commission.

A permanent classified employee shall be subject to suspension, demotion, or dismissal only for one or more of the causes designated by rule of the personnel commission.

Permanent classified employees shall be subject to a progressive disciplinary action process utilizing such steps as verbal warning, letter of reprimand, paid or unpaid suspension and termination. The decision of which step to use and the actual number of steps to be followed shall be at the discretion of the Superintendent or designee and shall generally reflect the severity of the employee's problem, the number of previous infractions of a similar nature, and the employee's overall employment record with the Office.

When such serious disciplinary action is being contemplated against an employee, the Office shall adhere to disciplinary procedures developed by the personnel commission. Due process shall be afforded to the employee, including proper notice, an opportunity for the employee to meet with a designated district official ("Skelly officer") or to respond in writing to the charges, and an opportunity to appeal the Office's decision with the personnel commission in accordance with Education Code 45305-45307. If the matter is addressed in a hearing before the personnel commission, the decision of the personnel commission shall be final.

However, if the matter involves an allegation of egregious misconduct as defined in Education Code 44932 and involves a minor, the matter shall be referred to an administrative law judge to determine whether sufficient cause exists for disciplinary action against the employee. The ruling of the

administrative law judge shall be binding on the district and the employee.  
(Education Code 45312)

*Legal Reference*

EDUCATION CODE

44932 Permanent Employee Cause for Dismissal

45269 Persons deemed in permanent classified service

45301 Probationary period for entry into permanent classified service

45302 Demotion and removal from permanent classified service

45303 Additional causes for suspension or dismissal of employees in classified service

45304 Suspension for reasonable cause

45305-45307 Appeal by employee

45312 Hearing Officer