

SEPARATION OF CLASSIFIED PERSONNEL - SUSPENSION AND DISMISSAL

Permanent classified employees may be suspended or dismissed for cause only for any of the following:

1. Failure to perform specified services as defined in the job specifications.
2. The use of excessive and indiscriminate profanity on the job.
3. Immoral conduct.
4. Dishonesty, including misappropriation of funds or materials.
5. Incompetency.
6. Evident unfitness for service with the District.
7. Physical or mental condition unfitting the employee to associate with children and which interferes with satisfactory job performance.
8. Persistent violation or refusal to conform with the school laws of the state or reasonable regulations of the District.
9. Indictment or conviction for a felony or any crime involving moral turpitude.
10. Indictment or conviction for a narcotic offense.
11. Known membership by the employee in the Communist party.
12. Chronic absenteeism or tardiness.
13. Inability to work in harmony with other employees to the detriment of the District.
14. Certification of false statements or falsification of answers made on employee's application form.
15. Leaving the District during in-duty hours except with prior approval of the employee's supervisor.
16. Giving out confidential information (verbal or written) regarding children, other than the employee's own.
17. Giving out District confidential information.
18. Negligence resulting in damage to public property, waste or theft of equipment or materials.

All charges claiming that cause exists for disciplinary action of a permanent employee shall be in writing, duly signed, with the burden of proof of such charges remaining with the District.

No permanent employee may be suspended, involuntarily demoted or dismissed unless he/she is informed by written notice of the specific charges against him/her. The notice shall include a statement in ordinary and concise language of the acts, omissions and charges against the employee; the effective date of the disciplinary action, a statement of the employee's rights to hearing before the Board of Trustees; the procedure by which the employee files his/her denial of charges and request for a hearing; and the time limits in which a request for a hearing may be filed with the Board of Trustees.

Permanent classified employees shall be given no more than ten days from the date of service of the suspension, demotion or dismissal notice to request a hearing on the charges by the Board of Trustees. The filing of a notice of defense shall constitute a demand for a hearing and the denial of the charges. Failure to file the notice of defense within the ten day period shall constitute forfeiture of the right of a hearing. The Board of Trustees' determination of sufficiency of cause for disciplinary action shall be conclusive.

All demotions shall be executed in accordance with Board Policy and Procedures 4612. All suspensions of employees shall be without pay. Suspension of less than five days duration may be made by the District's administration without prior approval of the Board of Trustees. All other suspensions shall require prior approval by the Board of Trustees.

The District Superintendent shall have the responsibility of recommending suspension, involuntary demotion or dismissal actions to the Board of Trustees. The Superintendent, working with his/her administrative staff, shall make all relevant and reasonable efforts to inform employees subject to dismissal of their legal rights to a hearing before the Board of Trustees.

Probationary, substitute and short-term classified employees, upon recommendation of the District Superintendent, may be suspended, demoted or dismissed at any time at the pleasure of the Board of Trustees without prior notice of charges or a hearing before the Board. Such employees shall receive a minimum of 24 hours notice of termination.

Cross Reference: Policy 4612 - Assignment, Transfer, Promotion or demotion of Classified Personnel
Policy 4615 - Evaluation of Classified Personnel

Legal Reference: EC 45113, 45116

ADOPTED: 3-20-74, 6-28-88

BOARD OF TRUSTEES

PLEASANTON UNIFIED SCHOOL DISTRICT

PLEASANTON, CALIFORNIA