

**SOLANO COMMUNITY COLLEGE DISTRICT  
HUMAN RESOURCES PROCEDURES**

**DISCIPLINARY ACTION**

**4770**

**Notice of Disciplinary Action**

The District will administer discipline progressively, which means that actions such as warnings and/or reprimands would precede suspension or dismissal except in cases where the seriousness of the problem justifies immediate suspension or suspension leading to dismissal.

Any permanent employee who is suspended, demoted, or dismissed from the classified service shall be given immediate written notice of the specific charges against him/her executed by the Superintendent/President or designee, a statement of his/her right to a hearing on such charges and shall be given notification of the date of such hearing in sufficient time to permit the employee to obtain counsel and prepare an appeal.

Attached to the notice shall be a card or paper, the signing and filing of which shall constitute a demand for hearing, and a denial of all charges. The burden of proof shall remain with the District.

The discipline imposed by the notice shall commence on the workday immediately following the day of service of said notice unless otherwise designated in said notice.

The notice of disciplinary action shall contain a statement in ordinary and concise language of the specific acts and omissions upon which the disciplinary action is based, a statement of the cause for the action taken and, if a claim has been made that an employee has violated a rule or regulation of the District, such rule or regulation shall be set forth in said notice.

**Right of Appeal**

An employee served with a notice for disciplinary action shall be entitled to appeal to the SCCD Governing Board by filling out, signing, and filing with the Office of the Superintendent/President, the card or paper attached to said notice not later than the fifth (5<sup>th</sup>) day succeeding the giving of the notice to the employee. Should the fifth (5<sup>th</sup>) day fall on a day on which the offices of the District are not open for business, the time within which said notice of appeal may be filed shall be extended until 4:00 p.m. of the next following day when the offices of the District are open for business.

**Time of Hearing – Notice**

A hearing by the Governing Board of the District relating to the validity of the charges upon which the disciplinary action was based shall be commenced not later than thirty (30) days after the date of the filing of the notice of appeal.

The appellant employee shall be given not less than ten (10) days of written notice of the date, time, and place of said hearing of the Governing Board.

Conduct of the Hearing

At the time and place designated, the Governing Board shall hold a hearing for the purpose of determining the validity of the charges brought against the appellant employee and of the reasonableness of the discipline imposed pursuant to said charges. Such hearing shall be closed to the public unless otherwise requested by the appellant employee. The appellant employee may be present and have the right to be represented by counsel or employee organization representative.

Decision of the Governing Board

The decision of the Governing Board shall designate express findings of the charges upon which the disciplinary action was based and may wholly reverse or affirm the disciplinary action imposed by the Superintendent/President or modify the severity of same.

Loss of Salary

If the disciplinary action of the Superintendent/President is wholly reversed by the Governing Board, or the severity of discipline imposed is partially reversed, the appellant employee shall be entitled upon the decision of the Governing Board to complete or partial reinstatement as the case may be and shall be entitled to reimbursement from District funds of that salary forfeited by virtue of that portion of the disciplinary action which was overruled by the Governing Board.

JW/cw  
8/88

BP 4770

**Governing Board Review: 8/88**