

## Chapter 7 – Human Resources

### BP 7360 Discipline and Dismissals - Academic Employees

#### References:

Education Code Sections 87660 et seq., 87666-87683, 87732-87737, and 87740

A contract or regular employee including academic managers may be dismissed or penalized for one or more of the grounds set forth in Education Code Section 87732 that states:

No regular employee or academic employee shall be dismissed except for one or more of the following causes:

- immoral or unprofessional conduct;
- dishonesty;
- unsatisfactory performance;
- evident unfitness for service;
- physical or mental condition that makes him or her unfit to instruct or associate with students;
- 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 or by the Mt. San Antonio College Board of Trustees;
- conviction of a felony or of any crime involving moral turpitude; and/or
- conduct specified in Section 1028 of the Government Code.

If the employee is to be penalized, the Board of Trustees shall determine the nature of the penalties. If the Board of Trustees decides to dismiss or penalize a contract or regular employee, it shall assure that each of the following has been satisfied:

- the employee has been evaluated in accordance with standards and procedures established in accordance with the provisions of Education Code Sections 87660 et seq. and any administrative procedure for evaluation contained in a collective bargaining agreement;
- the Board of Trustees has received all statements of evaluation which considers the events for which dismissal or penalties may be imposed;
- the Board of Trustees has received a recommendation from the College President/CEO; and

- the Board of Trustees has considered the statements of evaluation and the recommendations in a lawful meeting.

If the Board of Trustees decides it intends to dismiss or penalize a contract or regular employee, it shall take the actions required by the Education Code, and the College President/CEO or his/her designee shall thereafter assure that the employee is afforded the full post-termination due process required by the Education Code Sections 87666 through 87683 and 87740.

The College President/CEO in consultation with the Chief Human Resources Officer shall establish procedures that define the conditions and processes for dismissal, discipline, and due process and ensure they are available to employees.

Approved: August 25, 2004

Reviewed: May 14, 2013

Reviewed: December 6, 2014

Reviewed: June 9, 2015

Reviewed: August 17, 2016