

The superintendent/president shall enact procedures for the disciplinary proceedings applicable to permanent classified employees of the district. Such procedures shall conform to the requirements of the Education Code.

The Board of Trustees' determination of the sufficiency of the cause for disciplinary action of a classified employee shall be conclusive.

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

A permanent member of the classified service shall be subject to disciplinary action, including, but not limited to, warning, written reprimand, reduction in pay, suspension, demotion, or dismissal, for any of the following grounds:

- A. Falsifying any information supplied to the district, including, but not limited to, information supplied on application forms, employment records, and any other district records or reports.
- B. Incompetence, i.e., inability to comply with the minimum standard of an employee's position for a significant period of time.
- C. Inefficiency or inexcusable neglect of duty, i.e., failure to perform duties required of an employee in the position.
- D. Insubordination, which includes, but is not limited to, refusal or failure to do assigned work during working hours.
- E. Dishonesty involving employment.
- F. Being impaired by or under the influence of alcohol or illegal drugs or narcotics while on duty, which could impact the ability to do the job.
- G. Excessive absenteeism or tardiness.
- H. Unexcused absence without leave.

- I. Abandonment of a position, which is defined as unauthorized absence from duties for five consecutive workdays.
- J. Abuse or misuse of sick leave.
- K. The conviction of either a misdemeanor or a felony involving moral turpitude shall constitute grounds for dismissal of any employee. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred. A plea or verdict of guilty, or a conviction showing a plea of *nolo contendere* made to charge a felony or any offense involving moral turpitude, is deemed to be a conviction within the meaning of this section.
- L. Harassment, which includes, any offensive or abusive conduct or language toward other employees, pupils, or the public;
- M. Improper, negligent or unauthorized use of district property.
- N. Refusal to subscribe to any oath or affirmation that is required by law in connection with district employment.
- O. Any willful act of conduct undertaken in bad faith, either during or outside of duty hours that is of such a nature that it causes discredit to the district, the employee's department or division.
- P. Mental or physical impairment that renders the employee unable to perform the essential functions of the job with or without reasonable accommodation or without presenting a direct threat to the health and safety of self or others.
- Q. Acceptance from any source of a reward, gift, or other form of remuneration in addition to regular compensation to an employee for the performance of his or her official duties.
- R. Offering anything of value or offering any service in exchange for special treatment in connection with the employee's job or employment.
- S. The refusal of any officer or employee of the district to testify under oath before any court, grand jury, or administrative officer having jurisdiction over any then pending cause of inquiry in which the district is involved. Violation of this provision may constitute of itself sufficient ground for the immediate dismissal of such officer or employee.
- T. Willful or persistent violation of the Education Code, the policies of the Board of Trustees, or the rules and regulations of the district.
- U. Engaging in political activity during assigned hours of employment or on school property.
- V. Advocacy of overthrow of federal, state, or local government by force, violence, or other unlawful means.

See Administrative Procedures 3430–Prohibition of Harassment, 7365–Discipline and Dismissals–Classified Employees, 7370–Use of District Resources for Political Activity.