

**PALO VERDE COMMUNITY COLLEGE DISTRICT
ADMINISTRATIVE PROCEDURE**

7360

Discipline and Dismissals - Academic Employees

Procedures regarding academic employees should be read in conjunction with the appropriate collective bargaining agreement. In the event there is a conflict between these procedures and the language in the collective bargaining agreement, the agreement shall prevail.

Reference: Education Code Sections 87669, 87732

A regular employee or academic employee may be dismissed, penalized or contract not renewed 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 (see BP/AP 7330 - Communicable Disease and BP/AP 7335 - Health Examinations).
- 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 governing board of the District
- Conviction of a felony or of any crime involving moral turpitude
- Conduct specified in Section 1028 of the Government Code, (i.e. knowing membership in the Communist Party or of any organization which advocates the overthrow of the government of the United States by force or violence.)

Background Checks

Background checks may be conducted as part of disciplinary or harassment investigations. (Civil Code Section 1786 et seq., Fair Credit Reporting Act)

Advanced notice of discipline/harassment investigations shall be provided to those under investigation (see BP/AP 3430 - Prohibition of Discrimination and Harassment). If the investigation results in action that adversely affects the employee, the employee shall receive oral, written, or electronic notice of:

- the adverse action;
- the name, address, and telephone number of the third party agency that furnished the report;
- the employee's right to obtain a free copy of the report; and

- the employee's right to dispute the accuracy or completeness of any of the information in the report.

Procedures that further define the conditions and processes for dismissal, discipline, and due process are included in the collective bargaining agreement.

See also BP/AP 7210 - Academic Employees

3/5/09 College Council Approval
3/24/09 Board First Read
4/28/09 Board Second Read and Approval