

ARTICLE 27. DISCIPLINE

27A. Dismissal.

Unit members shall be subject to discipline in the form of dismissal from employment, pursuant to provisions of the California Education Code. Dismissal under this Section A shall not be grievable under [Article 7](#), Grievance Procedures, of this Agreement.

27B. Discipline Other Than Dismissal.

Except for discipline in the form of dismissal and suspension for any of the reasons stated above, all other forms of discipline shall be governed by this Section 27B.

27B.1 Progressive Discipline.

The District shall implement progressive discipline for those matters set forth in this Section 27B. The District may consider any mitigating circumstances when deciding on appropriate discipline. In some cases progressive discipline may not be warranted due to the serious nature of the employee infraction (including but not limited to examples such as gross insubordination, theft, etc.).

27B.2 Causes for the discipline under this Section 27B.

Just cause is required for discipline under this Section 27B. Causes for the discipline under this Section 27B include but are not limited to:

- a. Violation of any provision of this Agreement by a unit member; and
- b. Any of the causes for discipline set forth in California Education Code Section 87732.

27B.3 Provisions of Grievance Procedure

The provisions of [Article 7](#), Grievance Procedure, shall apply to both disciplinary documents which are placed in the unit member's Personnel File and to discipline in the form of suspension without pay.

27B.4 Ninety (90) Day Notice

The ninety (90) day notice period and any other procedural requirements for discipline under the Education Code, shall not be applicable to discipline under this Section 27B.

27C. Contract Unit Members.

Nothing in this Article shall be construed to in any way limit or otherwise inhibit the District from exercising its authority to deny renewal of a Contract unit member's contract, or to refrain from granting tenure to a Contract unit member under applicable provisions of the California Education Code.

27D. Representation Notice.

If there is a reasonable expectation that a meeting between management and faculty may lead to discipline, management shall notify the faculty person in advance of this potential eventuality. The faculty person so notified shall have the right to bring the appropriate college Faculty Association Grievance Officer or his/her designee to the meeting. In addition, a unit member may act independently to bring the appropriate Faculty Association Grievance Officer or his/her designee to the meeting.