

PERSONNEL – Series 4000

4400 THE MERIT SYSTEM

4470 DISCIPLINARY ACTION, APPEAL AND HEARING PROCEDURES

4471 DISCIPLINARY ACTION

**4471.1 Causes for Suspension, Demotion or Dismissal**

- A. Classified employees may be suspended, demoted or dismissed for any of the following causes:
1. Incompetency.
  2. Unsatisfactory Performance.
  3. Insubordination.
  4. Inattention to or Dereliction of Duty.
  5. Abusive or threatening treatment of the public, employees or students, or a pattern of discourteous treatment of the public, employees or students, or any other willful failure of good conduct tending to injure the public service.
  6. Willful and persistent violation of the Education Code, of Rules and Regulations, or procedures adopted by the Superintendent/County Board of Education, Personnel Commission or a department/program.
  7. Dishonesty, theft, willful use for non-work related purposes, willful destruction or mishandling of property belonging to the County Education Office or any employee.
  8. Possession of opened alcoholic beverage containers on County Education Office property, drinking alcoholic beverages on County Education Office property, or being intoxicated while on duty.
  9. The use or possession while on duty of illegal drugs, or misuse of legal drugs including those prescribed by a licensed physician.
  10. Engaging in a political and/or personal activities during assigned hours of duty.
  11. Conviction of a felony or serious crime or a record of one or more convictions which indicate that the person is a poor employment risk for the particular job which the employee holds in the County Education Office. A plea, verdict, or finding of guilty, or a conviction within the meaning of these Rules.

Approved: December 1, 1975  
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May 28, 1998  
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**4471.1**

**Causes for Suspension, Demotion or Dismissal (Continued)**

12. Knowingly falsifying or withholding any material information supplied to the County Education Office, including but not limited to, information supplied on application forms and employment records.
13. Being formally charged and convicted of any sex offense as defined in Section 44010 of the Education Code or narcotics offense as defined in Section 44011 of the Education Code.
14. Conviction of a violent or serious felony in accordance with Education Code Section 45122.1 defined by Sections 667.5 and 1192.7 of the Penal Code.
15. Excessive absenteeism. (For example, frequent unexcused absence or tardiness; illness leaves, when habitually taken for trivial indispositions.)
16. Abandonment of Position – Absence of three consecutive working days without notification or permission.
17. Failure to report for fingerprint processing or for health examination after due notice.
18. Offering of anything of value or offering any service in exchange for granting any special treatment to another employee or to any member of the public.
19. Violation of local, state, or federal law which results in cancellation or suspension of a license required for the performance of assigned duties.
20. Any other such cause in violation of local, state, or federal law pertaining to employment of school employees.
21. Advocacy of the overthrow of the federal, state, or local government by force, violation, or other unlawful means.

Reference:

Education Code Sections 44010-44011, 45122.1, 45123-45124  
45260-45261, 45302-45304, and 45310; Government Code  
Section 1028; Penal Code Sections 667.5 and 1192.7

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