

PERSONNEL – Series 4000

4400 THE MERIT SYSTEM

4470 DISCIPLINARY ACTION, APPEAL AND HEARING PROCEDURES

4472 APPEAL AND HEARING

4472.1 Rights of Appeal

- A. A permanent employee who has been notified of disciplinary action may appeal to the Personnel Commission within 14 calendar days after having been furnished with a copy of the Notice of Disciplinary Action by filing a written request for appeal. The procedures outline in Section 4472 (Rule Nos. 4472.1 through 4472.7) applies to disciplinary action. Appeals can be made only on the following grounds:
1. That the procedures set forth in these rules have not been followed.
 2. That the disciplinary action was taken because of employee's political or religious acts or opinions or affiliations, age, race, color, sex, national origin or ancestry, marital status, or disability.
 3. That there has been abuse of discretion.
 4. That the action taken was not in accord with the facts.
 5. That the penalty invoked is excessive.
- B. If the employee does not respond and request a Personnel Commission Appeal Hearing within the 14 calendar days period, the action of the County Superintendent or designee shall be final and conclusive, and no further appeal rights shall be allowed. The request is not timely unless it is received in the Human Resources Office within the 14-day period.

Reference:

Education Code Sections 45260-45261, 45305-45307 and 45311-45313

Approved: December 1, 1975
Revised: September 23, 1993
October 26, 2017