

PERSONNEL – Series 4000

4400 THE MERIT SYSTEM

4470 DISCIPLINARY ACTION, APPEAL AND HEARING PROCEDURES

4472 APPEAL AND HEARING

**4472.4 Representation**

- A. Legal counsel may at his/her option, represent the employee or any other person designated by the employee. If the employee files an appeal, the employee shall be required to attend the Commission Appeal Hearing, even if the employee fails to appear, the employee will be deemed to have forfeited his/her rights to further appeal and the Personnel Commission shall allow the Superintendent or designee's disciplinary action to stand.
  
- B. The Personnel Commission may, if it so desires, seek and appoint legal counsel as part of its appeal and investigatory hearing duties. The counsel of the County Education Office shall aid and represent the Commission in all legal matters, and if he/she refuses, the Commission may employ its own attorney, and the reasonable cost thereof shall constitute a legal charge against the general funds of the County Education Office.

Reference:

Education Code Sections 45260-45261, 45305-45307 and 45311-4313

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