

An employee may be terminated mid-contract for good cause as determined by the **responsible vice president and the director of human resources following a thorough investigation.** ~~Board following a hearing held for that purpose in accordance with law.~~ **An employee who does not report up through a vice president may be terminated mid-contract for good cause as determined by the College President.**

**Grounds for
Dismissal**

Good cause includes, but is not limited to, the following reasons:

1. ~~Inefficiency;~~ Incompetence in performance of duty.
2. Failure to comply with such reasonable requirements as the College District may prescribe for achieving professional improvement and growth.
3. **Insubordination or** ~~F~~failure to comply with official directives, administrative assignments, and established Board policy. This includes, but is not limited to, the standards of employee conduct articulated in policy DH.
4. Physical and/or mental incapacity, preventing performance of the contract.
5. Falsification of pertinent information regarding employee's application for employment, regardless of when the falsification is discovered.
6. Excessive absence, tardiness, or premature dismissal of class or departure from work assignment.
7. **Fraud, embezzlement, T**~~theft~~, physical violence, and disruption of working conditions.
8. **Any act or habit rendering the employee ineffective or any act that materially harms the reputation of the College.**
9. Commission of an offense involving moral turpitude. This includes, but is not limited to, conviction of a felony or abusive use of alcohol and/or illegal drugs.
10. Reduction in force resulting from financial exigency or program change. [See DMC]
11. **Intentional or severe damage to College property.**
12. **Unauthorized disclosure of confidential information.**
13. **Violation of any federal or, state, or local law or regulation.**

14. Discrimination or harassment of employees or students or other prohibited conduct under DIAA (LOCAL) or DIAB (LOCAL).
15. Use of alcohol, illegal drugs, or controlled substances in the workplace as prohibited under DH (LOCAL).

Suspension with Pay

A term contract employee may be suspended with pay and placed on administrative leave by the responsible vice president, the college president, or the director of human resources ~~College President~~ during an investigation of alleged misconduct by the employee or at any time the responsible vice president, College President, or the director of human resources ~~College President~~ determines that the College District's best interest will be served by the suspension.

Grievance Filed Under Education Code 51.960

The Board designates the College President as the person to whom a faculty member may present a grievance under Education Code 51.960 on an issue related to his or her dismissal. ~~It is recommended that~~ **The faculty member shall file a request to present the grievance within ten business days after final action on the dismissal proceeding.**

~~Once a request to present a grievance has been filed, it shall be heard by the College President within ten business days. The conference shall be scheduled within seven business days.~~

The faculty member may appeal the decision of the College President under DGBA beginning at the appropriate level.

In situations where the termination decision was made by the College President, the faculty member may appeal directly to the Board of Trustees under DGBA.

Quitting

A contractual employee who simply quits or walks off his or her job releases the College District from its contractual obligations by reason of the breach of contract by the employee.

Compensation

Remuneration for a contractual employee terminated voluntarily or involuntarily shall be ~~restricted~~ **limited** to the original contract amount reduced by the amount due under the contract prior to the employee's termination.