

7D1 Equal Employment Opportunity in the Employment of Personnel

It shall be the policy of the Kern Community College District that equal opportunity to seek, obtain, hold, and advance in employment in the District shall be afforded to all who qualify without discrimination because of race, color, ethnic group identification, ancestry, religion, national origin, sex (gender), sexual orientation, age, and/or physical or mental disability. Appropriate qualifications for the performance of specific duties are the basic criteria for the employment and promotion of personnel. Additional efforts will be made to recruit, develop, and to promote qualified members of groups that are underrepresented in the District workforce, even if that underrepresentation cannot be traced to particular discriminatory actions on the part of the District.

7D1A The District will continuously review its policies, procedures, practices, pool and workforce statistics, and any other factor that might contribute to workforce imbalance or adversely impact employment opportunities of members of protected groups.

7D1A1 The District will annually review the Equal Employment Opportunity Plan and revise as appropriate to address any problems with regard to recruiting a diverse workforce on the schedule provided by the State Chancellor's Office.

7D1A2 Information regarding Equal Employment Opportunity will be made available annually to the staff and community.

7D1A3 The District's Human Resources Department will continue to assure reasonable accommodation for applicants and employees with disabilities upon request.

7D1A4 Pre-employment physicals or drug testing shall be conducted only following an offer of employment. This offer of employment is conditioned on the employee either passing these tests, or providing proof of disability [as defined in the Americans with Disabilities Act (ADA)]. The District will provide reasonable accommodation upon request to applicants and employees in accordance with Federal Americans with Disabilities Act (ADA).

7D1A5 Whenever possible the names, titles, office locations, and office telephone numbers of individuals serving as liaisons of Equal Employment Opportunity programs, Equal Employment Opportunity officers, receivers of unlawful discrimination complaints, responsible personnel, ADA coordinators, and others responsible for Equal Employment Opportunity functions shall be identified and made public to employees and students.

7D1B The Board of Trustees recognizes and accepts its responsibilities under the California Education Code and the California Code of Regulations (Title 5) to:

7D1B1 Assume overall responsibility for the success of the District's effort to achieve Equal Employment Opportunity.

7D1B2 Approve the District and College Staff Availability Data as well as any revisions; and assure that these are submitted to appropriate agencies in a timely fashion.

7D1B3 Assure that in all employment procedures for all positions there is no unlawful discrimination.

7D1B4 Provide a supportive environment free of cultural bias for all staff and students.

7D1C An Equal Employment Opportunity Advisory Committee shall be established to advise the District on personnel matters relating to equal employment opportunities.

7D1C1 The Equal Employment Opportunity Advisory Committee will review Staff Availability Data and other relevant data for the purpose of advising the District and assisting in its commitment and goals in achieving equal employment opportunities.

7D1C2 Composition of the Equal Employment Opportunity Advisory Committee shall approximate a balance between District employees and Community members and shall provide for wide representation, including ethnic minorities, women, and the disabled whenever possible.

7D1C3 The District Equal Employment Opportunity Advisory Committee members shall be appointed by the District Equal Employment Opportunity Officer and shall serve for a period of three (3) years. The Committee shall meet at least once in every calendar year.

7D1D The following District officers shall be responsible and accountable for providing District-wide leadership in Equal Employment Opportunity:

7D1D1 The Vice Chancellor, Human Resources shall assume administrative responsibility for implementation of the Equal Employment Opportunity Policy.

7D1D2 The Vice Chancellor, Human Resources or his/her designee shall be responsible for the ongoing administration of this policy. This ongoing administration, in cooperation with the College Equal Employment Opportunity officers, shall include:

- Monitoring the employment process to ensure that selection or elimination of candidates for employment is based on job-related criteria.
- Providing Multi-college District Staff Availability Data, as it is made available to the District from

the California Community Colleges Chancellor's Office.

- Initiating action to correct any identified Equal Employment Opportunity concerns.
- Receiving, investigating, and seeking resolution of unlawful discrimination complaints. (See Procedure **7D4A**)

7D1D3 The faculty and staff of this District shall be responsible and accountable as follows:

7D1D3A Foster and promote a positive environment and overall hospitable atmosphere to staff and students of all cultures and heritages, encouraging the appreciation and value of diversity to the College communities.

7D1D3B Act on behalf of the District in recruitment and selection of personnel. In this capacity, faculty and staff shall comply with all applicable state and federal laws and regulations.

7D1E The District and Equal Employment Opportunity Officer(s) shall conduct periodic internal auditing, reporting, and evaluating of the effectiveness of the Equal Employment Opportunity Program.

7D1E1 The Equal Employment Opportunity Liaisons shall compile an annual workforce and utilization analysis of District personnel and shall use the data to recruit a diverse applicant pool and workforce.

7D1E2 College Equal Employment Opportunity Liaisons shall monitor the ethnicity and gender make-up as well as data concerning promotions of positions on a continual basis.

7D1F The District and Colleges shall provide faculty/staff in-service training on diversity.

7D1F1 Each College's Human Resources Department is responsible for providing training to all staff on Equal Employment Opportunity programs and issues.

7D1F2 The District's Equal Employment Opportunity Advisory Committee shall work cooperatively with Human Resources to effectively utilize Equal Employment Opportunity funds allocated to the District.

7D1G The District shall pursue hiring practices, which effect Equal Employment Opportunity policies.

7D1G1 All employment practices will be based on job-related factors, considering seniority only where required by law.

7D1G2 Recruitment for positions shall include verifiable efforts to attract a diverse applicant pool.

7D1G3 The Human Resources Department, in consultation with the screening committee chair, shall determine the adequacy of the applicant pool relative to its protected class composition.

7D1G4 Each College will maintain a standard procedure for selecting qualified applicants. College procedures must conform to the following:

7D1G4A Applicants will be screened by the screening committee for minimum qualifications.

7D1G4B Screening committees shall include a diverse membership that will bring a variety of perspectives to the assessment of applicant qualifications whenever possible.

7D1G4C Screening committees are to be trained by a Human Resources Director or Manager in appropriate selection and interviewing techniques and in Equal Employment Opportunity programs and procedures. Selection and interviewing will conform to these

techniques and procedures. The Human Resources Director or Human Resources Manager shall work with the screening committee chair to ensure that the employment process complies with the District's Equal Employment Opportunity Policies.

7D1G4D A reasonable number of candidates as determined by the College President or designee are to be interviewed for each position.

7D1G4E All materials related to the selection process for a position shall be incorporated into a single file and be maintained for at least three (3) years.

7D2 **Unlawful Discrimination**

All forms of discrimination and harassment are contrary to basic standards of conduct between individuals and are prohibited by state and federal law, as well as this policy, and will not be tolerated. The District is committed to providing an academic and work environment that respects the dignity of individuals and groups. The District shall be free of sexual harassment and all forms of sexual intimidation and exploitation. It shall also be free of other unlawful discrimination, including that which is based on any of the following statuses: national origin, religion, age, sex (gender), race, color, medical condition, ancestry, sexual orientation, marital status, physical or mental disability, or because he or she is perceived to have one or more of the foregoing characteristics. (Added December 17, 2009)

7D2A **Sexual Harassment**

7D2A1 The Board of Trustees of the Kern Community College District will not tolerate any behavior which constitutes sexual harassment of staff or students. It is the policy of the Kern Community College District that members of the college community, including visitors, guests, and contractors, may not sexually harass another person employed or contracted to do business by or on District property.

7D2A1A For the purpose of this policy, sexual harassment is defined as unwelcome sexual advances; requests for sexual favors; and/or

physical conduct or oral/written communication of an intimidating, hostile, or offensive sexual nature where:

Submission to such conduct is made either explicitly or implicitly a term or condition of employment or a student's status in a course, program, or activity; or

Submission to or rejection of such conduct is used as a basis for employment decisions or as a basis for academic or other decisions affecting a student; or

Such conduct has the purpose or effect of substantially interfering with an employee's work performance or a student's educational experience, or creates an intimidating, hostile or offensive working or academic environment.

7D2A2 The Kern Community College District is committed to maintaining a working and educational environment free of sexual harassment.

7D2A3 When an allegation of sexual harassment is brought to the attention of a supervisor, whether reported by the individual who is the subject of the alleged harassment, or by a witness, the supervisor shall report the allegation to the College Human Resources Manager. The College Human Resources Manager shall investigate the allegation according to **Procedure 7D4A**.

7D2A4 An employee or student may be subject to disciplinary action for violation of this policy.

7D3 **Students and Staff with Disabilities**

7D3A The Kern Community College District shall adhere to the wording and the spirit of the Federal Americans with Disabilities Act (ADA) and accompanying laws and regulations that protect persons with disabilities in the State of California.

7D3A1 The Kern Community College District shall consider or retain for employment all qualified individuals who satisfy the requisite skills, experience, education, and other job related requirements and can perform the essential functions of the position with or without reasonable accommodations. Pre-employment physicals or drug testing shall be conducted after an offer of employment has been made. This offer of employment is conditioned on the employee either passing these tests, or providing proof of disability [as defined in the Federal Americans with Disabilities Act (ADA)]. The District will provide reasonable accommodation upon request to applicants and employees in accordance with the Federal Americans with Disabilities Act (ADA).

7D3A2 The District's goal is to remove barriers to ensure that all qualified employees or students with disabilities are not excluded from or denied the benefits of services, programs, or activities because District facilities are inaccessible or unusable. The District, in terms of existing structures or new construction, shall make every reasonable effort to remove existing architectural barriers to the disabled and/or provide architectural access.

7D3A3 To the best of its ability, the District shall also furnish disabled students and staff with appropriate aids and instructional services in order to provide an equal opportunity to participate in the services, programs, or activities conducted by the Colleges.

7D3A4 The District shall designate a coordinator for the ADA related activity at each of its Colleges. The coordinator shall monitor compliance efforts, investigate complaints, complete an initial ADA self-evaluation, and update this evaluation at least every three (3) years.

7D3A5 The ADA complaint procedure to be utilized shall be that described in **Procedure 7D4A**.

7D3B Access to Electronic and Information Technology (Added February 2, 2006)

7D3B1 Whenever the Kern Community College District enters into a contract for the purchase, development, procurement, maintenance, or use of any electronic or information technology, the equipment or services purchased shall comply with, or be capable of conversion to meet accessibility requirements of Section 504 of the Rehabilitation Act of 1973, as amended, and its implementing regulations. This requirement shall apply to software applications, operating systems, web-based intranet and internet information and applications, telecommunication products, video or multimedia products, and self-contained closed products such as copiers, and desktop and portable computers.

7D3B2 The District will negotiate with vendors with the intention of having them certify to the following provisions:

7D3B2A "The vendor warrants that the products or services to be provided under this agreement comply with, or be capable of conversion to meet, the accessibility requirements of Section 504 of the Rehabilitation Act of 1973, as amended, and its implementing regulations. Vendor agrees to respond promptly to and resolve any complaints regarding accessibility of its products or services that are brought to its

attention. Vendor further agrees to indemnify and hold harmless the Kern Community College District from and against any claim arising out of its failure to comply with these requirements. Failure to comply with these requirements shall constitute a breach, and be grounds for termination of the agreement.”

7D4 Discrimination Complaint Process *(Revised 5/19/14)*

7D4A The Kern Community College District shall provide an expeditious and effective process for resolution of complaints by staff and students of unlawful discrimination and/or harassment in violation of this policy by staff and students. This process, as described below, will apply to discrimination based on military and veteran status, national origin, religion, age, sex (gender, including Title IX, Gender Equity Violations), gender identity, gender expression, race or ethnicity, color, medical condition, genetic information, ancestry, sexual orientation, marital status, physical or mental disability, or pregnancy, or because he or she is perceived to have one or more of the foregoing characteristics, or based on association with a person or group with one or more of these actual or perceived characteristics. In accordance the State law, the District shall accept complaints filed within one (1) year of the alleged discrimination. See [Procedure 7D4A](#) of this Manual for the guidelines to the Unlawful Discrimination Complaint Process.

7D4A1 Where complaints are filed directly with State and Federal agencies, the District Vice Chancellor, Human Resources or his/her designee will investigate and respond to the complaint in the manner provided by the agency and in accordance with the process provided for in [Procedure 7D4A](#).

7D4A2 When complaints are filed directly with the College or District, the Vice Chancellor, Human Resources shall be responsible for ensuring District compliance with rules and regulations adopted by the California Community Colleges and will assure that the College or District investigation shall be completed within ninety (90) calendar days.

7E Code of Ethics (Revised June 12, 2008)

The Kern Community College District recognizes that a commitment to the highest ethical and professional standards on the part of all persons associated with the District is necessary to fulfilling our mission and realizing our vision, which are policies of the District. This code of ethics is based on two (2) fundamental principles.

The first is recognition of the dignity of all persons, which respects the inherent value and worth of each person. The second principle is a commitment to fulfilling our obligations to others using fair and honest means. All associates in the Kern Community College District, faculty, students, management, classified staff, and trustees, as well as volunteers and vendors, each bear personal responsibility for their own ethical behavior and for the ethical stature of our organization. We are committed to fulfilling the Kern Community College District's mission. While we recognize the relationship between law and ethics, we further understand that legal requirements are necessary but not sufficient, and we endeavor always to do what is right and just, even when no one is watching, compelling, or evaluating our actions.

7E1 **Respect for Persons and Academic Freedom**

7E1A The inherent dignity of all persons requires that we conduct ourselves with civility in all circumstances of our professional lives. This means that we do not participate in or accept, condone, or tolerate physical or verbal forms of aggression, threat, harassment, ridicule, or intimidation. The District is an institution of higher education and especially values a spirit of free inquiry and free speech. The District encourages the expression of a range of points of view, but we expect all expressions of content to be conducted in a manner respectful of persons. The District nurtures an atmosphere of mutual respect by treating everyone with dignity, even when the values, beliefs, or behavior of a person or group is different from our own. The District recognizes this foundation of mutual respect to be the basis of civil discourse in an academic environment.

7E1B The District further protects the dignity of persons by maintaining the boundaries of both necessary and appropriate confidentiality, and by prohibiting the exploitation of all persons through sexual harassment or financial, professional, or any other form of exploitation. The District seeks to develop policies, procedures, and practices which are both compassionate and fair. In order to assure that we are fair in our policies, procedures, and practices regarding the dignity and worth of persons, the District specifically prohibits discrimination based on race, color, ethnic group identification, ancestry, religion, gender, sexual orientation, national origin, age, and physical or mental disability. While this prohibition is necessary, it is the genuine valuing of diversity that serves to create the general atmosphere in which persons can thrive and realize their potential.

7E2 Fairness and Honesty

7E2A The District desires to participate in a healthy work environment which emphasizes the achievement of our common purpose and the development of our potential as individuals and as an organization.

7E2B The District will actively work to build the trust necessary to conduct its mission through open, honest, and fair practices and communications at all levels.

7E2C The District values and practices the sharing of information, transparency of policy, and consistency of practice in all its dealings.

7E2D The District does not tolerate or condone dishonest practices, such as lying, stealing, plagiarizing, cheating, or deliberate misrepresentation of self, program, or information.

7E2E The District does not tolerate the misappropriation of resources of any kind, either through misuse of property, time, equipment, or systems, or through inaccurate reporting which results in personal or group gain.

7E2F The District develops and uses systems for the prohibition of bias, and for the reporting of conflict of interest, including conflicts resulting from work relationships in which employees have more than one (1) role in relation to another person, resulting in social pressures on professional conduct.

In those circumstances where such conflicts cannot be avoided and/or are considered minor in scope, we will commit to open and transparent consultation with supervisors and colleagues in order to protect individual rights, professional reputations, and the ethical reputation of our institution.

7E2G The District will engage in self-monitoring and open information sharing to assure fairness in the distribution of resources necessary to support its mission.

7E3 Competence

7E3A The Kern Community College District recognizes the importance of competence to the effectiveness and

trustworthiness of its endeavors. The District maintains currency in all areas of responsibility and seeks and uses feedback for improved performance, while also recognizing and celebrating performance achievements. The District is aware of and will behave in accordance with the policies and practices of its various professional associations and share these practices with students and colleagues.

7E3B The District will further acknowledge and seek intervention related to impediments to competent performance, including but not limited to continuing education needs, drug and alcohol abuse, and physical or mental impediments to competent performance of our duties. The District will use appropriate systems to support rehabilitation and/or accommodation.

7E4 **Conclusion**

7E4A The Kern Community College District celebrates its existence as a unique institution for the realization of human potential in the geographic area it serves and through the global connections fostered by its online programs.

7E4B The District prizes most highly the education and achievements of students, and the fostering of lifelong learning throughout its organization.

7E4C The District allows this value not only to direct our positive behavior and limit our potentially negative behavior, but to inspire us with a sense of shared purpose and a willingness to cooperate with one another in developing the highest potential in individuals and communities.

7E5 **The Binding Nature of Ethical Standards of Kern Community College District**

7E5A This statement of ethics articulates mutual expectations related to the employment or participation in providing services in the District, including service on the Board of Trustees and community advisory boards, and as volunteers and contracted service providers.

ARTICLE FOUR - PROFESSIONAL EXPECTATIONS

(All sections of this article apply to all faculty, unless otherwise noted.)

A. Academic Freedom: The District, the Colleges and unit members will adhere to the following in regard to academic freedom:

1. Education in a democracy depends upon earnest and unceasing pursuit of truth and upon free and unrestricted communication of truth.
2. Faculty members shall be free to exercise academic freedom, including freedom of investigation, freedom of discussion in the classroom, freedom to select texts and other instructional materials, freedom of assignment of instructional exercises, and freedom of evaluation of student efforts.
3. Faculty members acknowledge that in the exercise of academic freedom they have a responsibility to be accurate and comprehensive in making reports, to be fair-minded in making interpretations and judgments, to respect the freedoms of other persons, to exclude irrelevant matters from classroom discussions and instructional exercises, and to make appropriate distinctions between statements of fact made as faculty subject matter specialists and opinions made as private citizens.
4. The District recognizes the fundamental right of the faculty member to be free from any censorship or restraint which might interfere with the faculty member's obligation to pursue truth and maintain his/her intellectual integrity in the performance of his/her teaching functions.

B. Personal Freedom

1. The personal life of a faculty member is not an appropriate concern of the District for the purposes of evaluation or disciplinary action unless it prevents the faculty member from performing his/her assigned duties or it calls for discipline under the provisions of the Education Code.
2. A faculty member shall be entitled to the full rights of citizenship and no religious or political activities, or lack thereof, of any unit member shall be used for purposes of disciplinary action.

C. The Faculty Member Shall:

1. Provide instructional and/or non-instructional services specified by the faculty member's contract and/or staff assignment sheet.
2. Maintain currency in subject matter and/or service area.
3. Instruct courses in a manner consistent with curriculum committee approved course outlines. Provide non-instructional services in a manner consistent with approved position description.

Article 4 (continued)

4. Provide current course orientation materials to each student on the first day of class, and discuss orally the course content. These materials will minimally include the following: approximate dates of outside activities; an approximate weekly assignment plan; an approximate examination schedule; grading criteria; contact information; availability of accommodations and policies for students with disabilities; and general rules that will affect student grades (such as, drop/add deadlines, withdrawal deadlines, tardiness, student class participation).

A copy of the orientation materials shall be provided to the supervising administrator upon request.

5. Secure written permission to print copyrighted material in faculty handouts or syllabi.
6. Provide instructional or non-instructional activities with due regard to the level and purpose of the course or service area.
7. Use media aids, the library, and other resources as appropriate to enhance student learning.
8. As appropriate, utilize alternative instructional delivery approaches to enhance student access.
9. Not, except in the case of emergency, leave a class, program, or activity unattended. An appropriately qualified KCCD academic employee must always be responsible and present.
10. Provide for supervision of students throughout assigned activities, events or field trips.
11. Not combine, cancel, or change meeting times or places of classes or activities without permission of the College President or designee.
12. Reasonably assist in the maintenance of facilities and equipment.
13. When reasonably possible, report absences in sufficient time to provide proper substitution.
14. File an injury report with the College President or designee if a personal or student injury occurs while on duty.
15. Provide and maintain a current mailing address, e-mail address, and telephone number with Human Resources.
16. Communicate with others in a professional manner.
17. Participate in the college community. Adjunct faculty are encouraged but not required to participate. Participation includes the following, as appropriate:

Article 4 (continued)

- a. College, divisional, or departmental meetings. (Attendance is mandatory for all full-time faculty.)
 - b. Serve on committees and/or participate in other faculty governance activities.
 - c. Participate in retention and institutional research activities and recruiting/articulation with schools and colleges.
 - d. Participate with chair and educational administrator to develop and implement a plan to improve retention if class size at the end of a semester is unreasonably low as a pattern.
 - e. Participate in promotional activities, job placement activities, student follow-up activities and advisory committees.
 - f. Develop or participate in the development of curriculum, services, and/or activities. Review curriculum and/or services periodically, revising as necessary.
18. Not conduct personal business which interferes with contract responsibilities nor use District or College personnel, facilities, or equipment for personal business.
19. Adhere to College and District policies and procedures.

D. District Rights:

1. Except as limited specifically by the express terms of this Agreement, or in adopted Board Policy of the Board of Trustees, the District retains all of the rights and authority conferred upon it by the laws of the State of California to direct, manage, and control the affairs of the District.

E. Department, Division, or Program Area Rights: (See Article Five for the faculty chair selection, compensation, and evaluation.)

The faculty of each department, division, or program area may develop rules, regulations, and procedures for divisional (departmental or program area) operation, which are not in conflict with the law, Board policy, and this Agreement in the following areas. The educational administrator, working collaboratively with the department members, will review the rules, regulations, and procedures biennially.

1. Summer assignments
2. Conference travel
3. Faculty appointments to committees
4. Faculty evaluation
5. Safety procedures
6. Textbook selection
7. Courses to which faculty are assigned and counselor and librarian assignments
8. Multiple Site Assignments
9. Specific courses to be offered
10. Development of course proposals and course revisions
11. Priority setting for divisional (departmental, program area) planning
12. Selection of faculty participants in division, department, program area review(s)

Article 4 (continued)

F. Discrimination: The Kern Community College District will not discriminate in its employment relationship with members of the unit on the basis of race, disability, medical condition, marital status, gender, sexual orientation, age, religious creed, color, national origin, or ancestry.

1. The provisions of **Article 4.F** are not subject to **Article Sixteen**, the grievance procedure. Complaints of alleged violations of this Article may be processed through Board of Trustees Policy (**Section Eleven--General Personnel Administration**) or other procedures provided by statute.
2. Complaints of alleged violations of **Article 4.F** may be processed with the assistance of the Association.

G. Non-College Employment:

1. The Governing Board recognizes that District employees may receive compensation for outside activities as long as these activities are not incompatible with the employee's duties or to the duties, functions, or responsibilities of the District. A faculty member may request prior approval for non-college employment if the faculty member is uncertain if an activity is incompatible.
2. Outside paid activities are incompatible with employment if they require time periods that interfere with the proper, efficient discharge of the employee's duties; if they entail compensation from an outside source for activities which are part of the employee's regular duties; or if they involve using for private gain the District's name, time, facilities, equipment, or supplies.
 - a. The Governing Board recognizes that adjunct faculty may have primary employment responsibilities elsewhere that could interfere with the KCCD assignment. Such primary employment should not significantly nor repeatedly interfere with the assignment.
 - b. It is the responsibility of the adjunct faculty member to advise the faculty chair or educational administrator of such conflicts (prior to the conflict, if possible) that could interfere with the proper, efficient discharge of their assignment.
3. Upon determining that an employee's outside job is incompatible with District employment, the educational administrator shall so inform the employee. An employee who continues to pursue an incompatible activity may be subject to disciplinary action.
4. An employee shall not approve any request for payment of District funds for any purpose on behalf of other staff if the employee benefits financially from the approval or if the supervisor benefits financially.

10. **Dismissal** *(Revised November 20, 1997)*

10A Dismissal means permanent removal of an employee by the District from his/her position for cause in accordance with the provisions of the Education Code and the Kern Community College District Board Policy Manual.

10B Permanent employees will receive at least thirty (30) calendar days written notice from the effective date of the dismissal by the Chancellor or designee.

10C No person in the permanent classified service shall be dismissed except for cause as designated in this policy or by law.

10D A permanent classified employee of the District charged with immoral conduct, or a felony crime involving moral turpitude, or violation of Section 1028 of the Government Code may immediately be suspended from his/her duties by the Board of Trustees which instructs the District Chancellor to give notice of suspension. Thirty (30) calendar days after service of notice of suspension, he/she will be dismissed unless a demand for hearing is filed.

10E One (1) or more of the following causes or similar ones not enumerated shall be grounds for dismissal or suspension of any person employed in the classified service:

10E1 Incompetency or inefficiency in the performance of the duties of his/her position.

10E2 Insubordination or unethical or disgraceful conduct while on duty (including, but not limited to, refusal to do assigned work).

10E3 Carelessness or negligence in the performance of duty or in the care or use of District property.

10E4 Offensive or abusive conduct.

10E5 Dishonesty.

- 10E6** Possession of alcoholic beverages while on or in District property. Drinking alcoholic beverages while on duty or report for duty while intoxicated.
- 10E7** Possession or use of narcotics or controlled substances without prescription.
- 10E8** Conviction of any criminal offense or of a misdemeanor involving moral turpitude.
- 10E9** Conviction of a sex offense as defined in the Education Code Sections 88022, 87009, and 87010.
- 10E10** Has been charged with an immoral or criminal act.
- 10E11** Revocation of any license needed for employment in a specific position.
- 10E12** Repeated and unexcused absence or tardiness or the documented abuse of sick leave privileges.
- 10E13** Absences from duty without proper authorization.
- 10E14** Abandonment of position.
- 10E15** Incapacity due to mental or physical disability, to be determined by a medical examination.
- 10E16** Falsifying any information supplied to the District, including, but not limited to, information supplied on applications forms, employment records, time sheets or cards, absence forms, or any other District records.
- 10E17** Persistent violation or refusal to obey safety rules or regulations or training mandated by the District Injury and Illness Prevention Program or by any appropriate state, federal or local governmental agency.
- 10E18** Offering of anything of value or offering any service in exchange for special treatment in connection with the employee's job or employment, or the accepting

of anything of value or any service in exchange for granting any special treatment to another employee or to any member of the public.

10E19 The use, threat to use, or attempt to use political influence in securing promotion, leave-of-absence, transfer, change of range, step or character of work.

10E20 Has been induced, has induced, or has attempted to induce an officer or employee in the service of the Kern Community College District to commit an unlawful act or to act in violation of any lawful and reasonable departmental or District regulation or order; or has taken any fee, gift or other valuable thing in the course of his/her work or in connection with it, for his/her personal use from any citizen when such fee, gift or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than that accorded other citizens.

10E21 Willful or persistent violation of the Education Code or rules of the Board of Trustees.

10E22 Advocacy of or membership in any group which advocates overthrow of federal, state or local government by force, violence or other unlawful means.

10E23 Termination of CSEA membership for the duration of the current Contract.

11. **Appeal of Demotion, Suspension, and Dismissal** *(Revised June 16, 1994)*