

FIRST READING

All Employee Policy Manual

Governing Board Agenda

Meeting Date: October 27, 2009

<u>Item Number</u>	<u>Item Title</u>	<u>Responsible Agents</u>
VII.B	All Employee Policy Manual – Due Process Hearings	Dr. Rufus Glasper Mr. Al Crusoe

Recommendation

As of January 1, 2010, it is recommended that the Governing Board add a policy to the MCCCCD All Employee Policy Manual establishing a procedure for due process hearings.

Justification

One Year Only, One Semester Only, Specially Funded, and Athletic Specialists currently are not eligible for a due process hearing prior to termination, regardless of length of service. This policy will establish a procedure for due process hearings for all employees in an MCCCCD assignment of more than .50 FTE for 3 or more continuous years, effective January 1, 2010.

Prior to termination, the above indicated eligible employees may request a due process hearing. Terminations due to loss of funds or a program reduction are not eligible for a due process hearing. A hearing request must be presented in writing to the appropriate College President or Vice Chancellor within 5 business days of the notification to terminate. The request will be reviewed by the College President or Vice Chancellor and forwarded to the Chancellor for a decision. The Chancellor’s decision will be final.

A due process hearing serves as an administrative review of a termination, and does not supersede Arizona Revised Statute Section 23-1501 governing severability of employment relationships. Procedures to administer the above policy will be established by the Vice Chancellor of Human Resources.

Funding	Approvals/Certifications
<u>Source:</u> <u>Account Identification:</u>	Chancellor _____ Academic & Student Affairs _____ Business Services _____ Human Resources _____ ITS _____ Res Dev & Cmty Relations _____ College President _____