

**WESTERN NEBRASKA COMMUNITY COLLEGE  
POLICIES AND PROCEDURES**

SECTION: Human Resources           400.0000.14  
SUBSECTION: Administrative/Professional Staff   450.0000.14

*Discipline*  
**Policy Number: 450.0300.96**

**POLICY**

The President shall have the right to duly process all matters relating to disciplinary probation concerning any administrative/professional employee of the College. The grounds for said disciplinary probation shall include, but not be limited to, incompetence, immorality, intemperance, cruelty, crimes against the laws of the state, crimes against the laws of the United States, violation of Board policies, neglect of duty, general neglect of the business of the College, unprofessional conduct, insubordination, physical or mental incapacity.

Disciplinary action is considered a dimension of performance evaluation. It is a corrective process to help employees overcome work-related shortcomings and strengthen work performance.

The President shall have the range of disciplinary actions which may include, but not be limited to:

- 1) Counseling;
- 2) Oral reprimand;
- 3) A written reprimand advising that further violations may result in more serious action;
- 4) Suspension with pay; or
- 5) Suspension without pay not to exceed 30 days.

Prior to taking an action under Section 4 above, an employee shall be advised of the alleged reasons for the proposed action and provided the opportunity to present the his/her version of the facts. The employee may proceed under the school's grievance procedure (Series 4000, Appendix B-8-82) within five (5) calendar days after the President takes such action.

Prior to taking an action under Section 5 above, the employee shall be advised in writing of the alleged reasons for the proposed action and provided the opportunity to present his/her version of the facts. Within five (5) calendar days of receipt of such notice, the employee may make a written request to the Secretary of the Board or to the President for a due process hearing. If such a request is not delivered within such time, the action of the President shall become final.

The Board may discipline, suspend, or dismiss any administrative/professional employee for any of the above stated reasons after hearing.

In the event that the President shall determine that it is appropriate to consider the cancellation or termination of an administrative/professional staff contract during the school year for any of the reasons set forth above, the administrative/professional employee shall be notified in writing of the alleged grounds for cancellation or termination of the contract and that such administrative/professional employee contract may be canceled or terminated during the school year. Within five (5) calendar days of receipt of such notice, the administrative/professional employee may make a written request to the Secretary of the Board or to the President for a hearing.

- 1) Notification of time and place said hearing shall be sent to the administrative/ professional employee in writing at least five days prior to the hearing.
- 2) The Board shall order the hearing to be held within 30 days upon receipt of request of the administrative/professional employee.

- 3) Upon request of the administrative/professional employee, a notification of at least five days prior to the hearing of the names of any witnesses who will be called to testify against the administrative/professional employee, the nature of the testimony of each witness, and an opportunity to examine any documents that would be presented at the hearing.
- 4) The administrative/professional employee shall have the right to be represented at the hearing.
- 5) The administrative/professional employee shall have an opportunity to cross-examine all witnesses and to examine all documents and to present evidence material to the issues at the hearing.

A majority of the members of the Board, present and voting, shall render a decision to discipline, cancel, or terminate the administrative/professional employee's contract based solely upon the evidence presented at the hearing, and said findings and determinations shall be in writing and a written copy thereof shall be delivered to the administrative/professional employee within five days.

Nothing in this policy shall be construed to limit the right of the Board to not renew a contract of an administrative/professional employee.

## **DEFINITIONS**

N/A

## **APPLICABILITY**

N/A

**Adoption Date:** 1996

**Revision Date (and Board of Governors' Minutes Item Number):**

**Prior Policy/Procedure Number:**

**Schedule for Review:**

**Divisions/Department Responsible for Review and Update:**

**Sponsoring Division/Department:**

**Rescinded Date:**

**Cross Reference:**

**Procedure(s) for Policy:** Series 4000, Series 5000, Appendix B-8-82

**Related Policies/References:**