

CHANCELLOR'S DIRECTIVE

07-04

June 1, 2007

The Chancellor's Directives are presented as a series of clarifications and reminders to ACCD employees, vendors, students and others affiliated with our colleges regarding board policies and administrative procedures and their implementation. Please retain the directives as a quick guide to ACCD policies and procedures. As always, please let me know if you have further questions or recommendations for improvement.

TOPIC: PERSONNEL ACTION COMMUNICATION AND REVIEW

PURPOSE:

To provide guidance on appropriate communication and review regarding personnel actions.

ACCD CORE VALUES: Leadership, collaboration

SCOPE:

All ACCD employees who make decisions about employee terminations, suspensions, reassignments, leave without pay, administrative leave with or without pay, transfers, dismissal of contract employees during the term of their contract, terminal contracts for tenured or tenure-track employees, non-renewal of other contract employees, reorganizations, discontinuance of programs, and retrenchments.

DIRECTIVE

A review of personnel-related litigation and mediation activities and recent court decisions indicates that certain administrative actions may result in a considerable degree of unnecessary economic and legal risk to the ACCD.

To minimize these risks and consistently apply policy and law to all employment decisions, you must discuss any of the actions listed below with the District Director of Human Resources or a person designated by the director in writing before planning, initiating or announcing the actions. Except with respect to administrative leave with pay involving exigent circumstances (described below), the proposed actions will then be reviewed by the District Director of Human Resources, who in consultation with the General Counsel and College President or relevant vice chancellor will advise the Chancellor. Further, any and all offers of appointment are to be made by Human Resources, not by an individual college or district employee, upon notification to Human Resources of the person to be selected.

The actions include:

- Appointments
- Terminations
- Reorganizations
- Personnel reassignments and transfers
- Leave without pay (when longer than 30 days)
- Terminal contracts for tenured and tenure-track employees
- Suspensions
- Retrenchment
- Discontinuation of programs
- Administrative leave with* or without pay
- Non-renewal of contract employees
- Dismissal of contract employees during the term of their contract

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* Exigent circumstances may warrant immediate action. Therefore, under exigent circumstances, persons may be placed on administrative leave with pay upon consultation with Human Resources. Review will then take place after imposition of administrative leave with pay. "Exigent circumstances" means those requiring immediate action to preserve or protect the property of the District or the safety of employees, students or others.

If you have questions about this directive, contact Celso Guzman, the District Director of Human Resources, at 208-8070.

CONSEQUENCES:

Policy DH(LOCAL) requires that all employees comply with "guidelines that impose duties, requirements, or standards attendant to their status as College District employees." Failure to comply may result in disciplinary action, including termination of employment. The Chancellor's Directives are examples of such guidelines.

APPLICABLE POLICIES, PROCEDURES, LAW, REGULATIONS AND CODES:

Note: The following is a representative list of references. It may not be a complete list.

ACCD CODE OF CONDUCT:

EVENHANDEDNESS: treating others with impartiality

ACCD POLICIES:

BFA1(LOCAL): The Chancellor has "overall responsibility for College District programs and services, including ... personnel"

APPROVED:



Dr. Bruce H. Leslie, Chancellor