

REGULATION

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**DISCIPLINE, SUSPENSION, AND DISMISSAL
OF PROFESSIONAL STAFF MEMBERS**

(Procedures for Employee's Appeal of a Letter of Reprimand)

An employee who has received a Letter of Reprimand may, within ten (10) working days of receipt, make a written appeal to the Human Resources Manager to challenge the imposition of the reprimand. The employee's written appeal shall set forth the reasons for the appeal, e.g., that the reprimand is not justified under the circumstances, was based on inaccurate information, or was unfair. The employee shall provide a copy of the written appeal to the supervisor who issued the letter of reprimand.

The supervisor may respond to the appeal by delivering a written response to the Human Resources Manager within ten (10) working days of receiving a copy of the letter of appeal. The supervisor shall deliver a copy of the response to the appeal to the employee.

The employee may submit final written comments to the Human Resources Manager within five (5) working days of receiving the supervisor's response to the appeal.

The Human Resources Manager may convene a meeting to hear brief presentations from both the employee and the supervisor concerning the letter of reprimand and the employee's appeal. If the Human Resources Manager elects to convene such a meeting, notice of the meeting shall be provided to the employee and supervisor in writing no less than three (3) days in advance of the meeting.

If the Human Resources Manager determines to hold a meeting, it shall be held not less than ten (10) nor more than twenty-five (25) calendar days after receipt of the employee's final written comments or from the date on which the final written comments were due but were not filed. The meeting may be postponed or continued for good cause by the Human Resources Manager.

The employee shall have the right to be represented and assisted by a representative of the Amphitheater Education Association or any other person of the employee's choosing, including legal counsel, during the appeal and any meeting convened by the Human Resources Manager. The employee shall notify the Human Resources Manager if the employee will be represented by legal counsel not less than three (3) days in advance of any meeting at which counsel will appear.

Any meeting held by the Human Resources Manager shall be informal.

The Human Resources Manager shall issue a written decision on the employee's appeal within ten (10) working days of the Human Resources Manager's receipt of the employee's final written comments or the date of the meeting held by the Superintendent, whichever is later.

The decision of the Human Resources Manager may be appealed to the Superintendent.

If the Superintendent appoints a designee to decide the appeal, the Superintendent shall consider the extent to which, if any, the designee was involved in the disciplinary process that resulted in the letter of reprimand.

The timelines and procedures for the consideration and determination of this second level of appeal before the Superintendent shall be the same as those set forth above for the first level of appeal before the Human Resources Manager, except that the decision of the on the second level of appeal shall be final.

Decisions on appeal under this regulation are not subject to grievance. Decisions on appeal shall be entered in the employee's District personnel file and delivered to the employee in person or by certified mail.

If dissatisfied with either appeal decision, the employee may submit a brief, concise, written statement rebutting or objecting to the decision(s), which shall be placed in the employee's District personnel record.