A. Employees of Gaston College are subject to College policies, procedures, regulations, and obligations which accrue to them by virtue of their employment. Employees are expected to exercise responsible judgment, to behave with courtesy and integrity, and to maintain professional standards. Employment at the College is contingent upon maintaining appropriate standards. Failure to maintain standards as follows may lead to personnel action including discipline, conditional employment, or termination of employment. (See Policy 3-2.)

1. Failure to comply with the policies, rules, and regulations of the State Board of Community Colleges, the Gaston College Board of Trustees, or the lawful directives of the President or his/her authorized representatives.

2. Fraudulent misrepresentation of facts during the employment process.

3. Falsifying information.

4. Forgery, alteration or misuse of Gaston College documents or records.

5. Abusing or intentionally inflicting severe emotional distress upon another person on campus.

6. Discriminating against employees or students on the basis of race, religion, sex, national origin, age, or disability.

7. Directing profane or abusive language at employees or students.

8. Jeopardizing the health and safety of employees and students.

9. Theft or malicious destruction, damage, unauthorized possession, or misuse of College property or the private property of another member of the academic community.

10. Engaging in activity that disrupts the educational process or the orderly performance of duties of the College.

11. Unauthorized entry into any portion of Gaston College facilities or the unauthorized presence in Gaston College facilities after closing hours or unauthorized presence or use of a key to Gaston College facilities.
12. Possession or use on campus of a firearm or other dangerous weapon or incendiary devise or explosive unless such possession or use is authorized.

13. Habitual or excessive use of alcohol or non-medical use of a controlled substance as defined in Article 5 of Chapter 90 of the General Statutes.

14. Failure to conform to accepted professional conduct.

15. Insubordination, defined as the refusal to carry out the legitimate order of a supervisor.

16. Conviction of any felony or of a misdemeanor involving moral turpitude or entering a plea of guilty or no contest to such charge.

17. Neglect of duty.

18. Continued tardiness or chronic absenteeism.

19. Failure to perform competently the duties of the position.

20. Failure to notify supervisor about absences.

21. Failure to demonstrate progress in professional development of self-improvement within a stipulated time if such progress has been stated as a condition for continuing employment.

22. Sexual harassment of employees or students, as defined in Section 3-25 of this manual.

B. Responsibilities

1. Employees are responsible for not violating standards.

2. Vice presidents are responsible for:

   a. Investigating and documenting violations of standards.

   b. Initiating personnel action that is appropriate for the level of violation documented.
3. In the event of violations of employment standards by a vice president, the President is responsible for the implementation of these procedures.

C. Alteration of Teaching and Work Schedules for Educational Programs

The Chief Academic Officer is responsible for maintaining supportive learning environments in all classrooms. As an educational leader, the Chief Academic Officer has the authority to change teaching and work schedules whenever necessary to maintain an effective learning environment. Changes made to teaching and work schedules for educational reasons are not disciplinary actions.

D. Procedure for Informal Action

Alleged violations of employment standards must be investigated without delay by the appropriate vice president to document whether the violation did in fact occur. If the nature of the violation is not severe, the vice president may exercise his/her judgment to resolve the matter informally; however, documentation of informal action is required.

E. Procedure for Discipline

If the severity of the violation requires formal action, appropriate levels of the vice president's discipline include the following:

1. **Official Warning**: In appropriate cases, the vice president may issue an admonition and written warning that more severe action may be taken in the future if a further violation of standards occurs. The official warning is not made a part of the employee's personnel file.

2. **Official Reprimand**: In appropriate cases, the vice president may issue an official written reprimand censuring an employee for the specific violations documented in the written reprimand. The official reprimand is made part of the employee's personnel file.

3. **Disciplinary Probation**: In appropriate cases, the vice president may impose a term of disciplinary probation with the conditions required for improvement during the probationary period stated in writing. Prior to the vice president's imposition of discipline, a detailed report must be documented for the record including the specific violation(s) of employment standards, the facts in the case to include written and signed statements and all other written documentation,
the supporting reasons for the vice president's decision, and statement of the discipline to be imposed.

F. Procedure for Appeal of Discipline

1. An employee who disagrees with the judgment of the vice president and does not wish to accept the discipline may appeal through the vice president to the President. A written appeal must be submitted to the vice president within ten (10) working days of the date the employee was informed of the discipline. The appeal must include the employee's reasons for believing that an appeal is justified.

2. The employee must be informed of due process rights and must receive a copy of the form showing notification of due process. The vice president must forward the appeal to the President within five (5) working days together with the vice president's report of the facts in the case and the supporting reasons for the vice president's decision to discipline.

G. Procedure for Recommending Investigatory Suspension

1. Investigatory suspension may be recommended by a vice president and approved by the President under appropriate circumstances. An employee who has been suspended for investigatory reasons may be placed on compulsory leave of absence with pay.

2. Investigatory suspension may be used to provide time to investigate, establish facts, and reach a decision concerning an employee's status in those cases where it is determined that the employee should not continue to work pending a decision. Investigatory suspension must be appropriately used to provide time to schedule and hold hearings or employment conferences, to avoid undue disruption of work, or to protect the safety of person or property. An investigatory suspension shall not normally exceed thirty calendar days. However, the period of investigatory suspension may be extended. The employee must be informed in writing of the extension, the length of the extension, and the reasons for the extension.

3. An employee suspended with pay for the investigatory reasons must be informed of his/her right of appeal and must receive a copy of the form showing notification of due process. The vice president must document this meeting with the employee in a memorandum of record which must be forwarded to the President with the vice president's recommendation for suspension.
H. Procedure for Recommending Suspension With Pay or Dismissal

1. If a violation of employment standards is too serious to be resolved by the vice president's discipline, the vice president must refer the matter to the President with a recommendation for suspension or dismissal. Prior to submitting a recommendation for suspension with pay or dismissal to the President, a detailed report must be documented for the record including the specific violation(s) of employment standards and all other written documentation, the supporting reasons for the vice president's decision, and a statement of the discipline to be imposed.

2. Before submitting such a recommendation to the President, the vice president must inform the employee of the vice president’s findings of fact and the vice president's recommended action.

3. The employee must also be informed of due process rights and must receive a copy of the form showing notification of due process. The vice president must document this meeting with the employee in a memorandum of record which must be forwarded with the vice president's recommendation.

I. Procedures for Hearings

1. The hearings necessary for reviewing appeals of the vice president's discipline, or reviewing the vice president's recommendations for suspension or dismissal, will be conducted by the President. The purpose of a hearing is to determine findings of fact, as well as a conclusion consistent with those findings of fact, that indicates whether or not there is sufficient evidence to support the disciplinary action imposed by the vice president, or whether or not there is sufficient evidence to support the vice president's recommendation for suspension or dismissal.

2. Hearings will be conducted in confidential, closed session. Due process procedures will be followed. Counsel may serve in an advisory capacity during a hearing reaching a decision regarding the appeal of the vice president's discipline or decisions regarding suspension or dismissal.