



## Negotiation and Effective Documentation of Disciplinary Issues

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### ACSA Negotiators' Symposium

The certificated employee discipline and dismissal procedure has been the subject of widespread notoriety, as well as one high-profile legal challenge (the Vergara case). Although these procedures are dictated by the Education Code, there are disciplinary and dismissal processes that are subject to collective bargaining. Districts can bargain causes and procedures for disciplinary action for certificated employees (except for dismissal), including suspensions of up to 15 days, and with classified employee unions as well. We will cover legal concepts and best practices in bargaining the causes and procedures for discipline, including grounds for discipline, progressive discipline, due process, Skelly hearings, and hearing procedures.

#### RELATED PRACTICES

Education Law

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John R. Yeh