

7.3.7 Recommendations for Individual Improvement.

- (a) Evaluatees who receive an evaluation that includes specific recommendations for professional improvement shall, with consultation from their UPM advisor, complete a performance improvement program with the District in which they shall describe a plan of action for accomplishing the required professional improvement in their performance.
- (b) All economic costs of the performance improvement program (examples: reassigned time or overload compensation for additional hours beyond those contractually assigned in Art. VIII of the CBA, books, tuition, etc.) shall be paid by the District.
- (c) Permanent unit members shall have 45 working days following receipt of their written evaluation to consult with their supervisor in order to propose a performance improvement plan. Permanent unit members may be represented by UPM in the negotiations required herein.

7.3.8 Causes for Further Action and Due Process:

Pursuant to the requirement in Article 7.0.1.1 that "All unit members are entitled to a clear, fair and equitable evaluation procedure," permanent unit members shall not be subject to punishment, discipline or removal from their positions, for any observations and/or judgments made during their respective evaluations, without due process.

Permanent unit members shall only be subject to potential punishment, discipline or removal from their positions for observations and/or judgments made during their respective evaluations of:

- (a) immoral or unprofessional conduct;
- (b) dishonesty;
- (c) unsatisfactory performance;
- (d) evident unfitness for service;
- (e) physical or mental condition that makes the unit member unfit to instruct or associate with students;
- (f) persistent violation of, or refusal to obey, the school laws of the state or reasonable regulations prescribed for the government of the community colleges by the board of governors or by the governing board of the College;
- (g) conviction of a felony or of any crime involving moral turpitude;

Permanent unit members shall not be subject to punishment, discipline or removal from their positions for observations and or judgments made during their respective evaluations. Initial discovery of any of the aforementioned causes during the evaluation process shall be grounds for further investigation.