

**NEW COLLEGE OF FLORIDA
REGULATIONS MANUAL**

CHAPTER 3 - Administrative Affairs

3-4010 Discipline

- (1) Applicability. This rule applies to all General Faculty and Administrative and Professional employees; provided, however, that its application is subject to the terms and conditions of any existing applicable collective bargaining agreements in the case of General Faculty and Administrative and Professional employees who are members of a collective bargaining unit and are represented by a collective bargaining agent.
- (2) Just cause shall be defined as:
 - (a) Incompetence, or
 - (b) Misconduct.
- (3) Suspension and Termination. The appointment of a College employee may be suspended or terminated during its term for just cause. When the President or the responsible Vice President/Provost has reason to believe that suspension or termination should be imposed, the President/Vice President/Provost shall provide the employee with a written notice of the proposed suspension or termination and the reasons thereof. The employee shall be given at least ten days in which to respond to the President/Vice President/Provost before the proposed action is taken. After considering the employee's response, or after the expiration of the response period should the employee fail to respond, the President/Vice President/Provost shall issue a written notice of action.
- (4) Notice of Suspension or Termination. All notices of disciplinary action shall include a statement of the reasons for the action and the effective date and shall be sent by registered mail, return receipt requested. During the period following notice, the employee may, at the discretion of the President/Vice President/Provost, be reassigned.
- (5) Other Disciplinary Action. The responsible Vice President/Provost retains the right to impose probation, counseling, psychiatric treatment, community service, restitution, drug or alcohol rehabilitation for just cause. Counseling and psychiatric treatment shall not be considered disciplinary action. In determining such disciplinary action the Vice President/Provost shall consider the severity of the violation, the harm caused, fiscal loss, the employee's employment record and the employee's length of service.
- (6) Leave Pending Investigation. Notwithstanding the provisions above, the Vice President/Provost may immediately place an employee on paid leave pending investigation when the Vice President/Provost has reason to believe that the employee's presence on the job would adversely affect the functioning of the College, impede investigation of the alleged act warranting disciplinary action, or jeopardize the safety or welfare of other employees or colleagues. Within two working days, excluding weekends and designated holidays, the employee shall be sent a written statement of reasons for the leave by certified mail, return receipt requested.

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Authority: Article IX, Sec. 7, Fla. Constitution; Fla. Board of Governors Regulation 1.001

History: Adopted 01-28-04, as Rule 6C11 8.009; Revised 03-11-17 (technical amendment)