



CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT

Office of Human Resources

Notification Procedure for Faculty Investigations



An employee who is under investigation shall be sent the Employee Notification Summary Form no later than five (5) business days before his/her appointment for an investigatory interview. The form is intended to provide employees subject to misconduct investigations with a description of the subject matter of the investigatory interview, and shall include the following:

A. An introductory statement that:

1. The District takes a neutral stance when investigating possible misconduct and no findings of wrong-doing have been made;
2. The District maintains the confidentiality of the investigation to the fullest extent possible;
3. No findings will be made prior to completion of the investigation, and the investigation will not be closed until after the scheduled date of the employee's interview.
4. The information received could lead to discipline and the employee is entitled to have representation at the meeting;
5. The investigation is confidential and the employee should refrain from discussing it with other members of the campus community while the investigation is pending (except for the purpose of receiving representation during the investigation or exercising other rights as recognized under the EERA.)
6. Every effort will be made to complete the investigation within ninety (90) days of when the District first received the complaint or information triggering the investigation. Where this is not possible two things will occur: the employee will receive a status update on where the District is in its investigation and when it expects to be completed; and the District and CLPFA will have a check-in meeting in person or by telephone.
7. The employee will receive notice of the findings of the investigation, and whether the allegation investigated were or were not sustained;
8. In the event the investigation leads to disciplinary action, the employee will be afforded all of the pre-discipline due process rights to which he/she is entitled. This includes providing the employee, and CLPFA with the employee's consent, with a copy of the information relied upon to issue the charges; and

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9. District policy and law prohibit retaliation of any kind against anyone the employee believes to have provided information or otherwise cooperated in the investigation, and that such conduct constitutes an independent basis for serious discipline up to and including termination.

B. A summary of the subject matter of the interview including:

1. If appropriate, and at the discretion of the Vice Chancellor, Human Resources or designee, the name of the complainant(s), or individual(s) whose concerns caused the District to initiate an investigation. To the extent the Collective Bargaining Agreement provides for greater notice, the CBA prevails.
2. What allegedly occurred. The employee shall be entitled to a description of the subject matter or allegations of the investigation.
3. When the incident(s) allegedly occurred. The notice will be as specific as possible, based on the information available at the time the notice is given.
4. Where the incident(s) allegedly occurred. The notice will be as specific as possible, based on the information available at the time the notice is given.

In the event that an investigation does not lead to discipline, the District confirms that it is its practice, and will continue to be its practice to maintain the investigation file in a secure location and apart from the employee's personnel file.

Reference: [Article 16-2 and MOU: Notification Procedure for Faculty Investigation](#)