

MEMORANDUM OF UNDERSTANDING

The following memorializes the understanding of the Butte-Glenn Community College District (hereinafter referred to as the “District”) and the Butte College Education Association (hereinafter referred to as “BCEA”) regarding progressive discipline and due process.

Through the 2026-2027 academic year, the District and the BCEA agree to pilot and use the following process for progressive discipline and due process, with the exceptions noted in this MOU.

Progressive Discipline Processes and Protections

1. Purpose and Scope

The purpose of progressive discipline is to address conduct concerns in a fair, consistent, and constructive manner, with the goal of correcting behavior and supporting professional growth.

The provisions of this article apply only to potential disciplinary matters not otherwise governed by applicable law, regulation, or Board policy. Where applicable law, regulation, or Board policy governs the appropriate response to the employee’s conduct, those provisions will control and are not modified or limited by this article. This article does not limit the employee’s right to other protections under applicable law.

2. Investigations

For potential disciplinary matters covered under this agreement, the following provisions apply:

- An investigation will be conducted in a timely manner, consistent with applicable law, regulations, and District policy, to determine whether there is a factual basis for potential discipline.
- The appropriate administrator will provide the faculty member with written notice of the investigation that identifies the specific concern and the basis for the behavioral expectation and includes information about expected timelines and next steps.
- The appropriate administrator will send regular updates to the faculty member about the progress of the investigation and will notify the faculty member of any delays to expected timeframes, consistent with applicable law, regulations, and District policy.
- The faculty member will have the opportunity to provide their perspective and/or evidence during the fact-finding process.
- If a factual basis for potential discipline is not verified, the appropriate administrator will notify the faculty member in writing of that result within a reasonable period, ordinarily within 10 business days of that conclusion.

3. Steps of Progressive Discipline

Unless the conduct warrants immediate and more serious action, the following steps will be applied in order, with reasonable discretion exercised by the District in determining timelines for improvement. Where possible, the improvement timeline will take place during the same term. Unless otherwise warranted by the severity or urgency of the matter, faculty will be given at least three business days' notice for meetings necessary for progressive discipline.

3.1 Verbal Warning – An informal discussion identifying the specific concern, the reason it is considered a conduct issue, reference to the professional or behavioral standards that apply (including law, policy, or contract), the expected improvement, and a timeline for follow-up.

3.2 Written Warning – A formal written notice identifying the specific concern, the reason it is considered a conduct issue, reference to the professional or behavioral standards that apply (including law, policy, or contract), the expected improvement, and a timeline for follow-up. The written warning will also identify any resources or support available.

3.3 Final Written Warning – A formal written notice referring to the initial Written Warning and providing a final opportunity to resolve the concern prior to potential disciplinary action, with a timeline for follow-up.

3.4 Disciplinary Action – Disciplinary action may include suspension without pay or other appropriate measures, up to and including termination, in accordance with applicable laws, regulations, and Board policies. Disciplinary action will consider the nature, severity, and frequency of the conduct issue.

4. Skipping Steps

The District reserves the right to initiate discipline at any step or to bypass steps in cases involving-credible allegations of serious misconduct, willful neglect of duty, violations of the law, or other circumstances in which the conduct significantly affects students, staff, or the college.

5. Procedural Protections

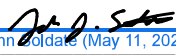
- **Conduct:** Conduct covered by this Article must be grounded in behavioral expectations explicitly set forth in the contract, law, regulations, and/or District policy or procedure.
- **Confidentiality:** The District will maintain confidentiality consistent with applicable law, regulation, and Board policy.
- **Credible Basis:** Progressive discipline will be initiated based on credible information, consistent with applicable law, regulations, and Butte College policies and procedures.
- **Confirmation of Correction:** When a faculty member successfully corrects the behavior that led to progressive discipline, the District will provide written confirmation that the matter is resolved.
- **Notice:** The District will provide the faculty member with email notice that it intends to pursue an investigation and/or corrective action under this article. Unless otherwise

warranted by the severity or urgency of the matter, notice will be given at least three business days before any required meetings. The notice will specify the nature of the concern with sufficient detail to enable the faculty member to meaningfully consult their union representative.

- **Time Limit:** Progressive discipline may not be used to address behavior that occurred more than four years prior and should generally address behavior occurring within the previous two academic years, unless otherwise allowed by law or when part of a continuing pattern of behavior.
- **Representation:** A faculty member will have the right to request union representation during any investigatory interview the faculty member reasonably believes may lead to discipline. The representative may be a union officer, steward, labor representative, or another bargaining-unit employee. The representative may assist the faculty member during the interview, including consulting with the faculty member, seeking clarification of questions, and helping ensure that the interview is conducted in a fair and non-coercive manner. The representative may not unduly disrupt the District's ability to conduct the meeting.

6. Personnel File

Formal written notices will be provided to the faculty member and placed in their personnel file in accordance with the Education Code and applicable contract provisions.

By:  John Golds (May 11, 2026 13:35:57 PDT)

For BCEA

By: Denise L. Adams

By:  Erik Chearer (May 12, 2026 22:07:39 PDT)

For the District

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Final Audit Report

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