



**CALHOUN COMMUNITY COLLEGE**  
**OFFICE OF THE PRESIDENT**

August 18, 2015

VIA HAND DELIVERY

Ms. Bethany Shockney



RE: Administrative Leave

Dear Ms. Shockney:

Based upon recent disclosures and findings and questionable performance of your current job duties as Calhoun Community College's Dean for Technology and Workforce Development, I am placing you on paid administrative leave effective immediately.

You will need to surrender your keys and college materials to me in my capacity as President, prior to your departure from Campus.

You are to refrain from communicating directly, indirectly, or through others, with any Calhoun employee for any reason while you are on paid administrative leave. Failure to abide by this directive will be deemed insubordinate behavior.

You are also to refrain from contacting businesses for whom Calhoun partners for reasons related to Calhoun business or your employment while you are on paid administrative leave. Failure to abide by this directive will be deemed insubordinate behavior.

You should not return to campus until instructed to do so by me or until a hearing is held.

You will not be permitted to access the College's technology systems during the time that you are on administrative leave.



James S. Klauber, PhD, President

8-18-2015

Date

I hereby acknowledge receipt of the foregoing letter and I will abide by its terms.



Bethany Shockney

8/18/15

Date





CALHOUN  
COMMUNITY  
COLLEGE

TO: Kim Gaines, Senior Personnel Officer  
FROM: James S. Klauber, President  
DATE: August 18, 2015  
RE: Recommendation to Terminate Bethany Shockney

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I recommend that Bethany Shockney be terminated as an employee of Calhoun Community College due to misconduct, a failure to perform duties in a satisfactory manner, insubordination, a failure to exhibit appropriate professionalism and leadership abilities, and other good and just cause because:

- (1) She has misappropriated public funds and property (or has expressed plans to do so),
  - She instructed a College employee to transport a State-owned welding machine to a school in Tennessee and drop it off there in 2014.
  - She demanded three subordinates to work overtime for the express purpose of making it appear like a Full-Time Administrative Assistant was needed at Robotics Technical Park when there was no urgent need for these employees to work overtime during 2015.
  - She pushed through paperwork on hiring a Full-Time trainer before President Beck retired, stating that she was aware the trainer did not have the needed requirements and that he "probably won't work out" but wanted to fill the position. Since that time, the College has been required to spend money to properly train the individual hired.
  - She has instructed subordinates not to follow policy related to the proper use and collection of payment of College rental space.
  - When you were denied a request for a 3d metal printer, she openly stated that she would spend 100 man hours researching this matter and contacting business leaders in the community to send letters on her behalf to the President related to this purchase.
- (2) She has been involved in misconduct related to the unauthorized use of College equipment and may be in non-compliance with Alabama Code § 36-25-5. She instructed a subordinate to take College equipment and drop that equipment off in another state, which happened to be her son's high school.

- (3) She has been involved in misconduct that is associated with dishonesty. She has knowingly permitted, and even directed, fraudulent reports to be sent to the Department of Postsecondary Education. She has instructed subordinates to inflate numbers of workforce training, while knowing that the College provided free space, but never provided training for those number of persons reported.
- (4) She has allowed your Assistant Dean to violate the Fair Labor Standards Act and Alabama Community College policies, which reveals a failure to ensure compliance with institutional and Alabama Community College System policies and procedures and standards of accrediting bodies.
- (5) She has deliberately attempted to sabotage the College's mission of implementing a new software system and instructed subordinates to do everything possible to slow, delay, or stop the process. This reveals an inability to work in a team environment and insubordinate conduct.
- (6) She has acted insubordinately, with defiance and disrespect, to the College President.
  - She has made slanderous statements to College employees about the College President. In July 2015, she expressly stated that the College President had a vested interest in the National Healthcare Education project and was certainly receiving "kickbacks," otherwise the President could not afford his home and airplane.
  - She have made other disrespectful statements to other College employees, such as but not limited to: the College President "is nothing but a politician full of hot air" and "is killing our programs."
  - She has expressly instructed her subordinates to never contact the President without her permission, despite the President's invitation to all employees to discuss matters directly with him.
- (7) She has failed to "promote positive morale" when she threatened and intimidated subordinates:
  - a. She has advised her employees that "those who talked to the administration about [an employee out on administrative leave] would be sorry," implying that if employees speak out against their supervisors that retaliation would occur.
  - b. She held a special meeting in February 2015 to specifically inform subordinates that "no one is going anywhere," suggesting that she could not be terminated under any circumstances.
  - c. She has retaliated against subordinates when challenged.
  - d. She has required that subordinates "spy" on other subordinates.

This shows an inability to appropriately lead and manage subordinates and an inability to work effectively with faculty and staff.

- (8) She has interfered in a confidential employment matter.
- (9) She instructed her Assistant Dean to lower the ratings of an employee well after the evaluation period was completed for events that occurred outside the evaluation period.
- (10) She has failed to properly supervise her Assistant Dean.
- (11) Based on the facts outlined above, she has failed to perform her duties in a satisfactory manner and has failed to exhibit appropriate professionalism and leadership abilities.



**CALHOUN COMMUNITY COLLEGE**

*OFFICE OF THE PRESIDENT*

August 18, 2015

**VIA HAND DELIVERY**

Ms. Bethany Shockney

RE: Notice of Proposed Termination

Dear Ms. Shockney:

This serves as notice to you that, based on information provided by your recommending senior supervisor, you are being recommended for termination as an employee of Calhoun Community College ("the College") due to misconduct, a failure to perform duties in a satisfactory manner, insubordination, a failure to exhibit appropriate professionalism and leadership abilities, and other good and just cause.

Based on information provided by your recommending senior supervisor, the College submits the following facts to support the grounds for termination:

- (1) You have misappropriated public funds and property (or have expressed plans to do so).
  - You instructed a College employee to transport a State-owned welding machine to a school in Tennessee and drop it off there in 2014.
  - You demanded three subordinates to work overtime for the express purpose of making it appear like a Full-Time Administrative Assistant was needed at Robotics Technical Park when there was no urgent need for these employees to work overtime during 2015.
  - You pushed through paperwork on hiring a Full-Time trainer before President Beck retired, stating that you were aware the trainer did not have the needed requirements and that he "probably won't work out" but wanted to fill the position. Since that time, the College has been required to spend money to properly train the individual hired.
  - You have instructed subordinates not to follow policy related to the proper use and collection of payment of College rental space.
  - When you were denied a request for a 3d metal printer, you openly stated that you would spend 100 man hours researching this matter and contacting

business leaders in the community to send letters on your behalf to the President related to this purchase.

- (2) You have been involved in misconduct related to the unauthorized use of College equipment and may be in non-compliance with Alabama Code § 36-25-5. You instructed a subordinate to take College equipment and drop that equipment off in another state, which happened to be your son's high school.
- (3) You have been involved in misconduct that is associated with dishonesty. You have knowingly permitted, and even directed, fraudulent reports to be sent to the Department of Postsecondary Education. You have instructed subordinates to inflate numbers of workforce training, while knowing that the College provided free space, but never provided training for those number of persons reported.
- (4) You have allowed your Assistant Dean to violate the Fair Labor Standards Act and Alabama Community College policies, which reveals a failure to ensure compliance with institutional and Alabama Community College System policies and procedures and standards of accrediting bodies.
- (5) You have deliberately attempted to sabotage the College's mission of implementing a new software system and instructed subordinates to do everything possible to slow, delay, or stop the process. This reveals an inability to work in a team environment and insubordinate conduct.
- (6) You have acted insubordinately, with defiance and disrespect, to the College President.
  - You have made slanderous statements to College employees about the College President. In July 2015, you expressly stated that the College President had a vested interest in the National Healthcare Education project and was certainly receiving "kickbacks," otherwise the President could not afford his home and airplane.
  - You have made other disrespectful statements to other College employees, such as but not limited to the College President "is nothing but a politician full of hot air" and "is killing our programs."
  - You have expressly instructed your subordinates to never contact the President without your permission, despite the President's invitation to all employees to discuss matters directly with him.
- (7) You have failed to "promote positive morale" when you threatened and intimidated subordinates:
  - a. You have advised your employees that "those who talked to the administration about [an employee out on administrative leave] would be sorry," implying that if employees speak out against their supervisors that retaliation would occur.

- b. You held a special meeting in February 2015 to specifically inform subordinates that "no one is going anywhere," suggesting that you could not be terminated under any circumstances.
- c. You have retaliated against subordinates when challenged.
- d. You have required that subordinates "spy" on other subordinates.

This shows an inability to appropriately lead and manage subordinates and an inability to work effectively with faculty and staff.

- (8) You have interfered in a confidential employment matter.
- (9) You instructed your Assistant Dean to lower the ratings of an employee well after the evaluation period was completed for events that occurred outside the evaluation period.
- (10) You have failed to properly supervise your Assistant Dean.
- (11) Based on the facts outlined above, you have failed to perform your duties in a satisfactory manner and have failed to exhibit appropriate professionalism and leadership abilities.

You have a right to a hearing. If you wish to be heard by the President of the College (or other appointed hearing officer), you must file a written request for a hearing with the President within 15 calendar days after the issuance of this notice. If you fail to make a timely request, the President (or other appointed hearing officer) shall act on the recommended termination and that decision shall be final. If you timely request a hearing, a written notice of the hearing date, time, and place will be issued to you, giving you between 30-60 days advanced notice prior to the set hearing.

Sincerely,

[Redacted Signature]

Kim Gaines, Senior Personnel Officer

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Bethany Shockney acknowledges receipt of this letter.

[Redacted Signature]

Bethany Shockney  
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August 26, 2015

Dr. James Klauber, President  
Calhoun Community College  
PO Box 2216  
Decatur, AL 35609

RE: Notice of Contest

Dear Dr. Klauber:

Please be advised that I contest the proposed termination pursuant to the Students First Act and demand all rights provided by law. I reserve the right to assert any and all affirmative defenses, including inadequate notice and personal or political reasons. I am in the process of requesting legal counsel through the Alabama Education Association.

Sincerely,



Bethany T. Shockney

cc: Beverly Sims, UniServ Director





CALHOUN  
COMMUNITY  
COLLEGE

August 31, 2015

*Via US Mail and Email*

Dr. Mark Heinrich, Chancellor  
Alabama Community College System  
Post Office Box 302130  
Montgomery, AL 36130-2130

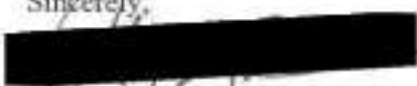
RE: Request for Alternate Hearing Officer:  
Bethany Shockney Students First Hearing



Dear Chancellor Heinrich:

As previously advised, on August 18, 2015, I submitted a written recommendation to terminate Bethany Shockney's employment at Calhoun Community College. The Senior Personnel Officer of Calhoun Community College subsequently issued a formal notice to Ms. Shockney of her proposed termination.

On August 28, 2015, Bethany Shockney requested a hearing on the proposed termination. Since I was the recommending supervisor involved in the recommendation to terminate, I ask to be recused as the hearing officer of this matter. I request that an alternate hearing officer be appointed to hear this Students First Act proceeding as soon as practicable. Thank you for your consideration and assistance with this request.

Sincerely,

  
James S. Klauber, PhD  
President

Cc: Roger Bates (by email at )  
Tracy R. Davis (by email at )  
Bethany Shockney (by mail)

Post Office Box 302130  
Montgomery, AL 36130-2130



T 334.293.4500 F 334.293.4504  
www.accs.cc

MARK A. HEINRICH, PH.D.  
Chancellor

September 4, 2015

Via Email at [REDACTED]

Dr. James S. Klauber, Sr., President  
John C. Calhoun Community College  
Post Office Box 2216  
Decatur, Alabama 35609

RE: Proposed Termination of Employment of Bethany Shockney

Dear President Klauber:

Please accept this letter in response to your letter to me dated August 31, 2015. I approve your request to recuse yourself from presiding over the proposed termination of Bethany Shockney.

By copy of this letter, I also hereby appoint Dr. Martha Lavender, President of Gadsden State Community College, as the Acting President of John C. Calhoun Community College for the sole limited purpose of presiding and adjudicating the above referenced termination proceedings.

Sincerely,

[REDACTED SIGNATURE]  
Mark A. Heinrich, Ph.D.  
Chancellor

copy: Dr. Martha Lavender (Via Email)  
Bethany Shockney (Via Mail at [REDACTED])  
Roger L. Bates (Via Email at [REDACTED])



*Celebrate*  
**GADSDEN STATE**  
*Then, Now and Forever*

GADSDEN STATE COMMUNITY COLLEGE

P.O. Box 227 · Gadsden, Alabama 35902-0227

[www.gadsdenstate.edu](http://www.gadsdenstate.edu)

September 9, 2015

Via Certified Mail

Bethany Shockney, Employee  
[REDACTED]

Via Email [REDACTED]

James Klauber, Ph.D., President  
Calhoun Community College  
6250 Highway 31 North  
Tanner, AL 35671

**RE: Students First Act Hearing Date for Bethany Shockney**

Dear Parties:

Pursuant to letter dated September 8, I have been specially appointed by the Chancellor as the Acting President of Calhoun Community College for the sole and limited purpose of presiding over the personnel hearing to consider Bethany Shockney's proposed termination as an employee of Calhoun Community College. In this capacity, I have set a Student's First Act hearing on October 13, 2015, at 10:00 a.m. at Calhoun Community College in the President's conference room. You may present evidence, testimony, and argument at that time in accordance with Ala. Code § 16-24C-6.

Please have all subpoenas that you wish to be issued submitted by email directly to me at [mlavender@gadsdenstate.edu](mailto:mlavender@gadsdenstate.edu) no later than 12:00 p.m. ten business days before the hearing. These must be sent to the opposing side as well. Any subpoenas you request will be issued provided they are received by the deadline stated. I will also make the necessary arrangements for a court reporter to transcribe the proceedings.

Sincerely,

[REDACTED]  
Martha Lavender, Ph.D.  
Special Acting President  
Calhoun Community College

cc: Mark A. Heinrich, Ph.D., Chancellor