

## Personnel

### Discipline of School District Employees

#### I. Purpose

This policy provides the school district with a disciplinary and remediation framework for its employees to enable the district's continued effective operations.

#### II. General Statement of Policy

The disciplinary process described in this policy is designed to utilize progressive steps, where appropriate, to produce positive correction by the employee. While the school district intends that in most cases progressive discipline will be administered, the specific form of discipline chosen in a particular case and/or the decision to impose discipline in a different manner, is solely within the district's discretion.

#### III. Discipline

##### A. Violation of District Policies, Procedures or Rules

Discipline imposed for violations of school district policies, procedures, or rules may vary from an oral reprimand to termination of employment depending upon factors such as the nature of the violation; whether the violation was intentional, knowing and/or willful; and whether the employee has been the subject of prior disciplinary action of the same or a different nature. District policies, procedures or rules include but are not limited to:

1. Policies and procedures of the district;
2. Directives to the employee imposed by administration and/or the employee's supervisor(s);
3. Job requirements and expectations;
4. Expectations contained in employee handbooks; and
5. Federal, state and local laws, rules and regulations, including, but not limited to, the rules and regulations adopted by federal and state agencies.

##### B. Substandard Performance

An employee's substandard performance may result in the imposition of discipline ranging from an oral reprimand to termination of employment. In most instances, discipline imposed for the reason of substandard performance will follow a progressive format and will be accompanied by guidance, help and encouragement to improve from the employee's supervisor, and reasonable

time for correction of the employee's deficiency.

### C. Misconduct

Employee misconduct will result in the imposition of discipline consistent with the seriousness of the misconduct. Conduct belonging in this category includes, but is not limited to:

1. Unprofessional conduct;
2. Failure to adhere to district policies, procedures, rules, and standards;
3. Failure to adhere to supervisor(s)' directive(s);
4. Acts of an insubordinate nature;
5. Continued neglect of duties, despite oral warnings, written warnings and/or other forms of discipline;
6. Personal and/or immoral misconduct;
7. Use of illegal drugs, alcohol or any other illegal chemical substance while on district property or serving in the role of the district employment in an offsite district activity, or any use that impacts the employee's work performance;
8. Deliberate and serious violation of the rights and freedoms of other employees, students, parents and/or community members;
9. Activities of a criminal nature, convictions, or criminal acts ("crime"), depending on the extent to which the crime relates to the school environment and the employee's ability to perform the duties of the position;
10. Failure to follow the canons of professional and personal ethics;
11. Falsification of credentials and experience;
12. Dishonesty;
13. Unauthorized destruction of district property;
14. Neglect of duty;
15. Violation of the rights of others as provided by federal and state laws related to human rights; and
16. Other good and sufficient grounds relating to any other act constituting inappropriate conduct, as deemed by the district.

### IV. Types of Discipline

A. The types of discipline that may be imposed by the school district include, but are not limited to:

1. Oral warning;
2. Written warning or reprimand;

3. Probation, or extension of a probationary period;
  4. Demotion;
  5. Suspension without pay; and
  6. Termination from employment.
- B. Other forms of discipline, including any combination of the forms described in Paragraph A, may be imposed if, in the judgment of the administration, another form of discipline will better accomplish the district's objective of stopping or correcting the offending conduct and/or improving the employee's performance.

Legal References:

Minn. Stat. § 122A.40 (Teachers – Employment; Contracts; Termination)  
Minn. Stat. § 122A.44 (Contracting with Teachers)  
Minn. Stat. § 122A.58 (Coaches)  
Minn. Stat. § 123B.02, Subd. 14 (Employees; Contracts for Services)  
Minn. Stat. § 123B.143 (Superintendent)  
Minn. Stat. § 123B.147 (Principals)  
Minn. R. 3512.5200 (Code of Ethics for School Administrators)  
Minn. R. 8710.2100 (Code of Ethics for Minnesota Teachers)

Policy

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INDEPENDENT SCHOOL DISTRICT 273  
Edina, Minnesota

**Procedures for Administering Policy**

- A. When imposing disciplinary measures, the employee's supervisor or designee will:
  - 1. Advise the employee why the discipline is occurring, either orally or in writing. If an oral reprimand is given, the supervisor will document that an oral warning was given to the employee.
  - 2. As appropriate, provide directives to the employee to correct the conduct or performance.
  - 3. Forward copies of documentation to the human resources department for filing in the employee's personnel file.
  - 4. As appropriate, allow a reasonable period of time for the employee to correct or remediate the performance or conduct.
  
- B. The district retains the right to discipline or terminate immediately an employee as appropriate, in accordance with applicable collective bargaining agreements and state and federal law.

Reviewed: 9/14/20