

GOOD CAUSE

WHEREAS, student learning and safety is the primary function of Western Heights Public Schools and

WHEREAS, it is the responsibility of the Board of Education through its employees, to make adequate provision for student learning and safety, the Board hereby directs that all employees of Western Heights must be fit and competent for the appropriate duty for which they are employed.

If, for good cause, any supervisor suspects any employee has become unfit or incompetent for the position for which they were employed, the superintendent shall take steps he or she feels necessary to examine any employee's fitness or competency for duty.

If the superintendent feels there is good cause, the employee will be directed to comply with any request made by the superintendent to verify the employee's fitness & competence for duty. Any test will be at the district's expense. Any time away from work waiting for such test will be with pay with no deduction from established leave. An employee who refuses to comply with such testing will be considered as either unfit or incompetent to continue their duties and shall be suspended without pay pending due process, if appropriate.

An employee who, for whatever reason, tests unfit or incompetent for duty will be subject for administrative review. During the review, the employee may use either sick or vacation leave. The findings of the administrative review may include, but is not limited to any of the following:

1. Immediate suspension without pay pending due process if appropriate.
2. Immediate suspension with pay (employee using sick or vacation leave) pending the improvement of employee's condition.

An employee who was tested unfit or incompetent can secure his/her own testing at the employee's own expense. If there is any discrepancy between the district and employee's testing, a third party, mutually agreed upon by the employee and administration, will be chosen. The party must be properly credentialed and preferably a specialist in the area of testing. The cost will be split between the district and employee. Any leave associated with these retests will be without pay and use of leave will be denied. If the third test is found in favor of the employee, the district will refund employee for back wages.

This policy in no way supersedes policy 3.777.

Adopted: 05-13-96

Revised: 05-29-96

Revised: 09-06-05