Disciplinary Action and Discharge

When the superintendent determines that there are sufficient grounds to suspend and/or discharge a certificated staff member, the staff member shall receive written notification which specifies the probable cause for such action. The notice shall contain notice of the staff member's appeal rights, if any, and notice of the appeal processes. The staff member may submit within 10 days of such notification a written request (RCW 28A.405.310) for a hearing to determine whether or not there is sufficient cause for discharge. During the hearing, the procedures described in Board Policy 5280 (Probation and Non-renewal) shall be followed.
Staff who do not request a hearing shall be adversely affected as specified in the written notice. Classified staff not employed under formal contract may be suspended for a specified or indefinite number of days with or without pay. A regular status classified staff member shall be advised of the right to request a pretermination meeting within five (5) working days following notice. At the hearing, the superintendent shall provide notice of charges against the classified staff member, an explanation of the evidence that has been collected and the opportunity for the staff member to clarify or refute the charges. Following this conference, the superintendent shall advise the staff member of the right to a hearing with the board prior to any formal action that may be taken by the board.

A classified staff member, who has contact with children, or a certificated staff member whose certificate is subject to revocation shall be terminated immediately for a guilty plea or conviction of any felony crime against children as stated in (F) below. Such employee shall have the right of appeal.

Reasons for Disciplinary Action

Disciplinary action may be taken for the following reasons:
A. Incompetence;
B. Inefficiency;
C. Misappropriation or misuse of district property;
D. Neglect of duty;
E. Insubordination;
F. Conviction of any crime which adversely affects employee's ability to perform a job including the submission of a guilty plea or conviction of any felony crime involving:
1. The physical neglect of a child;
2. The physical injury of death of a child;
3. Sexual exploitation of a child;
4. Sexual offenses where a minor is a victim;
5. Promotion of a minor for prostitution purposes; or
6. The sale or purchase of a minor child.
G. Malfeasance;
H. Gross misconduct;
I. Inability to perform job functions;
J. Willful violation of district policies and procedures;
K. Mistreatment or abuse of fellow workers, students, or members of the public;
L. Conflict of interest;
M. Abuse of illness, injury, or emergency leave;
N. Sexual harassment, verbal abuse, physical abuse or sexual misconduct; or
O. Manufacture, possession, distribution, sale or being under the influence of alcohol or controlled, illegal, addictive or harmful substances including anabolic steroids.

Types of Disciplinary Action

Depending upon the nature of the work performance problem or conduct, any one or more of the following actions may be taken by the appropriate supervisor:

A. Oral Reprimand
An oral reprimand may be given to an staff member whenever such action is deemed appropriate. A record of this action should be kept in the staff member's personnel file.

B. Written Reprimand
A staff member may be given a written reprimand when previous oral warning has not resulted in the expected improvement or when more severe initial action is deemed warranted. A copy of such reprimand shall be placed in the staff member's personnel file.

C. Suspension/Discharge
A staff member may be suspended from duty without pay by his/her supervisor for any of the reasons set forth in these procedures. A staff member shall receive written notice of such suspension along with notification (oral or written) that he/she may schedule a pretermination meeting with the superintendent. Discharge action may be taken by the board based upon the recommendation of the superintendent. The staff member shall have an opportunity to meet with the board prior to such action.

A staff member may be temporarily suspended from duty with pay, if circumstances warrant, with the prior approval of the superintendent.

A classified staff member who has contact with children, or a certificated staff member shall be terminated immediately for a guilty plea or conviction of any felony crime against children as cited above in (F).

D. Demotion
A staff member may be demoted for any of the reasons set forth in these procedures. The staff member shall be given written notice including specific reasons for such demotion at least two (2) calendar weeks prior to the effective date of the proposed action. This action requires the prior approval of the superintendent.