

## Disciplinary Action and Discharge

---

### A. Reasons for Disciplinary Action

Behavior, conduct or actions which may institute disciplinary action or discharge may include, but are not limited to:

1. Insubordination
2. Incompetence
3. Inefficiency
4. Misappropriation or misuse of district property
5. Neglect of duty
6. Conviction of any crime which adversely affects an employee's ability to perform a job including the submission of a guilty plea or conviction of any felony crime involving:
  - a. The physical neglect of a child
  - b. The physical injury or death of a child
  - c. Sexual exploitation of a child
  - d. Sexual offenses
  - e. Promotion of a minor for prostitution purposes
  - f. The sale or purchase of a minor child
7. Unprofessional conduct
8. Gross misconduct
9. Inability to perform job functions
10. Violation of district policies and procedures
11. Mistreatment or abuse of fellow workers, students, or members of the public
12. Intentional discrimination
13. Conflict of interest
14. Unauthorized "leave without pay"
15. Sexual harassment, verbal abuse, physical abuse or sexual misconduct
16. Use of illegal, controlled or addictive substances or alcoholic beverages on school or district premises or at a school-sponsored activity off the premises
17. Manufacture, possession, distribution, sale or being under the influence of alcohol or controlled, illegal, addictive or harmful substances including anabolic steroids

### B. 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:

**1. Oral Warning/Reprimand**

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

**2. Written Warning/Reprimand**

An employee may be given a written reprimand when previous oral warning/s has not resulted in the expected improvement or when more severe initial action is deemed warranted. A copy of such reprimand will be placed in the employee's personnel file.

**3. Suspension**

An employee may be suspended from duty without pay by his/her supervisor for any of the reasons set forth in these procedures. An employee may be temporarily suspended from duty with pay, if circumstances warrant, with the prior approval of the superintendent or designee.

An employee will receive written notice of such suspension and will be advised of the right to request a pre-termination meeting within five (5) working days following such notice. At the pre-termination meeting, the superintendent or designee will provide notice of charges against the classified employee, an explanation of the evidence that has been collected, and the opportunity for the employee to clarify or refute the charges. Following this meeting, the superintendent or designee will advise the employee of the right to a hearing with the board prior to any formal action that may be taken by the board.

**4. Demotion**

An employee may be demoted for any of the reasons set forth in these procedures. The employee will 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 or designee.

**5. Discharge/Termination**

Discharge action may be taken by the board based upon the recommendation of the superintendent or designee. The employee will have an opportunity to meet with the board prior to such action.

A classified employee who has contact with children, or a certificated employee will be terminated immediately for a guilty plea or conviction of any felony crime against children as cited above in (A)(6). Such employee will have the right of appeal. The school district is entitled to recover from the employee any salary or other compensation that may have been paid to the employee for the period between such time as the employee was placed on administrative leave, based upon criminal charges that the employee committed the felony crime, and the time termination becomes final.

When the superintendent or designee determines that there are sufficient grounds to suspend and/or discharge a certificated employee, the employee will receive written

notification, which specifies the probable cause for such action. The notice will contain notice of the employee's appeal rights, if any, and notice of the appeal process. The employee 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.

Employees who do not request a hearing will be adversely affected as specified in the written notice.

**Adopted:** October 8, 2012