

POLICY

Section

PROFESSIONAL EMPLOYEES

Title

DISCIPLINARY PROCEDURES

GUIDES

Date Adopted

6/23/87

Date Last Revised

Classification

Highest

417. DISCIPLINARY PROCEDURES

Reference

Effective operation of the district's programs requires the cooperation of all district employees in working together under a system of policies and rules applied fairly and uniformly to all employees. The order conduct of the district's business requires uniform compliance with these policies and rules and uniform penalties and disciplinary procedures for violations.

There shall be established procedures whereby professional employees shall be informed as to the disciplinary actions that are considered appropriate, and that are to be applied, for violation of district policies and regulations.

The Superintendent shall prepare and promulgate disciplinary rules for violations of district policies and rules which provide progressive penalties including, where appropriate: verbal warning, written warning, suspension and/or dismissal. In the event it is necessary to demote or dismiss, a hearing shall be provided as required by statute.

§ 510

§ 1122

§ 1127

2 Pa. C.S.

§ 551 et seq

School Code

§§ 510, 1122, 1127
1151

Other Cites

2 Pa. C.S. § 551 et
seq

DISCIPLINARY PROCEDURES

(To be used in conjunction with P.G. 317, 417 and 517)

Administration are charged with assuring acceptable behavior on the part of every member of their staff. In this role, administrators have the responsibility for administering discipline to staff members when such action becomes necessary. Thus, there is a need for a process of corrective discipline which meets the legal requirements of due process. The process should be a way of challenging those persons whose conduct is unacceptable and seek to steer them toward a happier, more productive performance.

Both the School Service Personnel Contract and the Professional Contract contain "Just Cause" provisions. Those contracts read:

WCSSPA Article III, Section 9

"Just Cause" No employee shall be disciplined or reprimanded in writing or reduced in rank or compensation without just cause".

WEA Article III, Section 5

"No professional shall be disciplined or reprimanded in writing, or reduced in rank or compensation without just cause. In the case of discharge, procedures outlined in the school code will be followed."

An administrator having a proper reason to take disciplinary action is meeting the requirements of just cause.

In order to satisfy the requirements of due process and just cause, the following progressive corrective discipline process is to be utilized:

Step One - Oral Warning or Reprimand

Action taken should include stating that an oral warning is being issued, review the rule or basis for disciplinary action, state the failure of the employee, state employee expectations, ask if management can help solve the problem and conclude with the indication that failure to comply will warrant further disciplinary action. Document incident by recording date, time and action taken (for administrator's personal files).

Step Two - Written Warning or Reprimand

Include:

- A. Date, time and place of offense - be specific, factual
- B. What rule has been violated
- C. Cite previous oral or written warnings
- D. Note that the letter constitutes a formal written reprimand
- E. State that member is being given another opportunity to improve and express hope that the staff member does so
- F. State that if no improvement occurs, the staff member will be subject to further disciplinary action

G. Give letter to staff member and discuss it.

A copy of the letter should be sent to the Superintendent's Office.

Step Three - Suspension with Pay

Suspension with pay is legally interpreted as a major warning to the employee and considered a very serious disciplinary action. The amount of time off should be short - perhaps one or two days.

Step Four - Suspension Without Pay

Suspension without pay should be determined by the severity of the situation.

Step Five - Dismissal

Dismissal procedures are governed by the school code and other pertinent legal citations.

The assistance of the superintendent and solicitor should be sought after Step Two. The keys to the five step process are fairness, reasonableness, and consistency. In the case of professional employees, the State rating form must also be taken into consideration and used as part of the corrective discipline process.