

Article IX
Administrator Discipline and Due Process
12/4/2024

Whenever it becomes necessary to discipline an AAAA member, the Superintendent shall utilize the following procedures, to the extent not inconsistent with the District's board policies, administrative regulations, or the terms of the AAAA member's individual contract.

AAAA members may only be discharged, demoted, or otherwise disciplined for a reason that is not arbitrary or capricious. In all instances, discipline, discharge, and demotion shall occur in accordance with the statutory requirements under the Revised School Code.

- A) Oral or written notice will be given by the administration to the administrator of any incident, complaint, or charge that may form the basis for the investigation and any potential disciplinary action.
- B) Upon the filing of a complaint by any person or group or upon the initiation of any investigation or disciplinary proceeding, the administrator shall be provided with a copy of all charges, complaints or other documents which will be utilized in the investigation or proceeding. This provision does not preclude the District from developing other information during the course of the initial investigation. The administrator shall be provided with a copy of evidence developed subsequent to the filing of a complaint as soon as practicable.
 - 1. If the complaint alleges child abuse or neglect, the matter shall be reported to Child Protective Services.
- C) An AAAA member will not be suspended, demoted for disciplinary reasons, or discharged unless:
 - 1. Reasons are communicated to the AAAA member in writing at least seven (7) workdays prior to the hearing in C-2 below.
 - 2. A hearing has been offered to the AAAA member by the Superintendent. It is understood that, in the event of suspension, the hearing before the Superintendent may occur after such suspension has been affected, but within fourteen (14) days of the suspension or as mutually agreed.
 - 3. An AAAA member shall have a right to a hearing before the Board of Education. A request for a Board Hearing shall be submitted to the Superintendent within thirty (30) days of receipt of the Superintendent's decision.
 - 4. Any AAAA member who, for disciplinary reasons, has been demoted, suspended, or reprimanded, shall continue at their current salary until a meeting with the Board has been held, provided that a request for a meeting with the Board is made within thirty (30) days.

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5. The parties agree it is in the best interest of all concerned to conduct investigations so that all due process rights are ensured.
- D. The AAAA member shall be provided with written notice of the time, date, and location of the meeting to provide the administrator with an opportunity to respond.
- E. An AAAA member shall, upon request, be entitled to union representation at any investigative meeting that the administrator reasonably believes could result in disciplinary action.
- F. The Superintendent (or designee) is authorized to place an AAAA member on paid administrative leave pending the completion of a disciplinary investigation of the alleged or suspected offense, infraction, or misconduct. Administrative leave under this provision is not regarded as a disciplinary measure or penalty.
- G. If it is determined that the AAAA member has engaged in an offense, infraction, misconduct, or other behavior warranting discipline, the administration's decision as to the level of discipline shall be guided by principles including but not limited to the following:
1. The adequacy and credibility of the evidence derived from investigation.
 2. The seriousness of the offense, infraction, or misconduct.
 3. The AAAA member's prior disciplinary and/or employment record.
 4. The existence of any relevant aggravating or mitigating factors.
- H. Disciplinary measures may include but are not limited to: oral warning, written warning, written reprimand, paid or unpaid suspension, and discharge. Nothing in this Article shall require that the disciplinary measures identified herein be applied progressively or sequentially. The District reserves the right, in its sole discretion, to apply disciplinary sanctions it deems appropriate to the specific set of circumstances or facts.
- I. The Superintendent's (or designee's) decision to impose any disciplinary action that is not subject to board review, is final. The following action may only be imposed by the Board in adherence with the requirements of the Revised School Code:
1. The non-renewal of an AAAA member;
- J. If an AAAA member has achieved tenure within the District as defined in the Teachers' Tenure Act and the AAAA member's employment is terminated, the AAAA member shall be continuously employed by the District as an active classroom teacher if a position is available. If the number of teachers exceeds the number of classroom positions available, the District shall consider the former administrator along with the pool of actively employed classroom teachers and the former administrator shall retain the right to a position in accordance with District Policy.

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