

## ARTICLE 15 - DISCIPLINE

**Section 1. Just Cause.** ~~Except as provided for in Article 10 - Probationary Period, no~~ **No District needs to consult with legal** employee shall be subject to written reprimand, suspension without pay, reduction in salary, disciplinary demotion, or termination without just cause. Any appeal of a written reprimand shall be limited to Level Two of the contractual grievance procedure.

**Section 2. Representation.** The employee shall have the right to have a Union representative present during any ~~investigatory~~ **investigatory** meeting that might reasonably be expected to result in disciplinary action up to and including termination of employment. When a representative is present, their role shall be limited to the following:

- a. The representative may inquire, at the outset of the interview, regarding its purpose, including inquiring about the general subject matter, of the questioning to follow;
- b. During the questioning of the employee by the employer, the representative may participate only to the extent of seeking clarification of questions;
- c. After the employer has completed the questioning of the employee, the representative may ask the employee questions designed to clarify previous answers or to elicit further relevant information;
- d. Before the end of the meeting, the representative may suggest to the employer other witnesses to interview and may describe relevant practices, prior situations, or mitigating factors that could have some bearing on the employer's deliberations concerning discipline.

**Section 3. Complaint Procedure.** Any verbal and/or written formal complaint regarding an employee made to any member of the Administration by any parent, student, or other person that may influence their evaluation or result in discipline of that employee, shall be processed according to the following procedure.

- a. ~~Every attempt will be made to notify the~~ **The Union President shall be notified** when an employee against employee complaint is filed.
- b. The building administrator or Superintendent's designee shall meet with the employee to apprise the employee of the nature of the complaint (name of the complainant, date of the complaint, and any written documentation within seven (7) working days.
- c. The employee shall have the right to have **a designated** Union ~~representation~~ **representative** in attendance at any meetings or conferences regarding the complaint. If **a designated** Union ~~representation~~ **representative** is not available, the meeting will be

postponed until such representation can be arranged, **unless the complaint timeline falls within Board Policy or under State or Federal regulations.**

d. If the facts of the complaint are in dispute and the matter is not resolved, the employee shall be notified that an investigation by the Superintendent or their designee shall be conducted.

e. Upon completion of the investigation, the employee shall be notified of the disposition of the complaint.

f. If the complaint results in disciplinary action, then the employee shall have all rights and provisions as provided under Article 15, Section 1 – Just Cause, including the right to attach any statements or documents they believe to be relevant.

g. The provisions of this Article shall not apply in situations in which the subject matter of the complaint is also the subject of an investigation by law enforcement or an outside agency.