LENAPE TECHNICAL SCHOOL

SECTION: EMPLOYEES

TITLE: CONDUCT/DISCIPLINARY PROCEDURES

ADOPTED: December 15, 2016

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317. CONDUCT/DISCIPLINARY PROCEDURES

(formerly policies 317, 417, & 517)

Authority

All administrative, professional and support employees are expected to conduct themselves in a manner consistent with appropriate and orderly behavior. Effective operation of the school requires the cooperation of all employees working together and complying with a system of Joint Operating Committee policies, administrative regulations, rules and procedures, applied fairly and consistently.

The Joint Operating Committee requires employees to maintain professional, moral and ethical relationships with students at all times.[1][2]

The Joint Operating Committee directs that all employees shall be informed of conduct that is required and is prohibited during work hours and the disciplinary actions that may be applied for violation of Joint Operating Committee policies, administrative regulations, rules and procedures.[3]

Delegation of Responsibility

All employees shall comply with state and federal laws and regulations, Joint Operating Committee policies, administrative regulations, rules and procedures. School employees shall endeavor to maintain order, perform assigned job functions and carry out directives issued by supervisors.[3]

Certificated employees shall comply with the Code of Professional Practice and Conduct for Educators, in accordance with applicable law and regulations.

When engaged in assigned duties, employees shall not participate in activities that include, but are not limited, to the following:

- Physical or verbal abuse, or threat of harm, to anyone.
- Nonprofessional relationships with students.[2]
- Causing intentional damage to school facilities, buildings or grounds .
- Forceful or unauthorized entry to or occupation of school facilities, buildings or grounds.

- Use, possession, distribution, or sale of alcohol, drugs or other illegal substances.[4]
- Use of **profane language**.
- Breach of confidential **student, staff or school** information.
- Failure to comply with directives of school officials, security officers, or law enforcement officers.[5]
- Carrying onto or possessing a weapon on school grounds without authorization from the appropriate school administrator.
- Violation of Joint Operating Committee policies, administrative regulations, rules or procedures.[5]
- Violation of federal, state, or applicable municipal laws or regulations.[5]

The school may take disciplinary action for employee conduct that **occurs during or outside of assigned duties when such conduct has a direct nexus to or** obstructs, disrupts, or interferes with **the** teaching, research, service, operations, administrative or disciplinary functions of the **school**, or any **school**-sponsored **activity**.

The Administrative Director or designee shall develop and disseminate disciplinary rules for violations of Joint Operating Committee policies, administrative regulations, rules and procedures that provide progressive penalties, including but not limited to

- verbal warning
- written warning
- reprimand
- suspension
- demotion[6]
- dismissal[5]
- pursuit of civil and **legal remedies**.

Prior to considering demotion or dismissal of an employee, and at other times when employee conduct has been reported, the Administrative Director or designee shall investigate allegations that an employee has violated Joint Operating Committee policies, administrative regulations, rules or procedures and shall recommend appropriate action to the Joint Operating Committee, in accordance with applicable law and regulations.[3][5][7][8]

When demotion or dismissal charges are filed against an employee, a hearing shall be offered to the employee as required by applicable law.[5][7][8][9][10][11][12][13][14]

Arrest or Conviction Reporting Requirements

Employees shall use the designated form to report to the Administrative Director or designee, within seventy-two (72) hours of the occurrence, an arrest or conviction required to be reported by law.[15][16]

Employees shall also report to the Administrative Director or designee, in writing, within seventy-two (72) hours of notification, that the employee has been named as a perpetrator in a founded or indicated report pursuant to the Child Protective Services Law.[17]

The Administrative Director may also receive notice from the PA Department of Education when a certificated educator has a pending record of arrest, indictment or charge entered upon their state record in the Teacher Information Management System (TIMS).

An employee shall be required to submit **new criminal history background checks** if the Administrative Director or designee has a reasonable belief that the employee was arrested or has been convicted of an offense required to be reported by law, and the employee has not notified the Administrative Director or designee.[15][18]

An employee shall be required immediately to submit a new child abuse history certification if the Administrative Director or designee has a reasonable belief that the employee was named as a perpetrator in a founded or indicated report or has provided written notice of such occurrence.[17][18]

Failure to accurately report such arrests and convictions may subject the employee to disciplinary action up to and including termination and criminal prosecution.[15][17]

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Legal References
1. 22 PA Code 235.1 et seq
2. Pol. 824

	3. 24 P.S. 1850.1 4. Pol. 351 5. 24 P.S. 1122 6. 24 P.S. 1151 7. 24 P.S. 1121 8. 24 P.S. 1127 9. 24 P.S. 1126 10. 24 P.S. 1128 11. 24 P.S. 1129 12. 24 P.S. 1130 13. 2 Pa. C.S.A. 551 et seq 14. 24 P.S. 1133 15. 24 P.S. 111 16. 24 P.S. 2070.9a 17. 23 Pa. C.S.A. 6344.3 18. Pol. 806 23 Pa. C.S.A. 6301 et seq 24 P.S. 2070.1a et seq Pol. 317.1