

West Bonner County School District

PERSONNEL

5345

Discipline of Certified Staff

The West Bonner County School District attempts to provide certified employees who violate policies or exhibit unsatisfactory job performance an opportunity to comply with District or departmental requirements by means of progressive disciplinary actions.

Employees are expected to abide by established district rules and policies, the reasonable directions of their supervisors, and the Idaho Code. To enable certificated employees to do this, supervisors must investigate the circumstances of apparent policy or rule violations or unsatisfactory performance before taking action, and ensure that prompt, consistent disciplinary action is administered. An informal hearing (told of the problem and given a chance to respond) with the supervisor and/or superintendent shall be afforded by any individual prior to being disciplined.

As a means to assist and encourage employees to correct their conduct and to achieve satisfactory work performance, principals will typically start by conferencing with an employee to determine if a verbal reprimand is appropriate. If a verbal reprimand is given, it is documented. The next step would be a written reprimand, and if continued noncompliance is evidenced and after consultation with the superintendent, the employee may be suspended pending an investigation or disciplinary hearing. Particular circumstances may, in some cases, be exceptional or singular and the related disciplinary actions shall be tempered or expanded because of the facts of the situation. Violations of the District policies, prescribed rules, regulations, Teacher code of Ethics, policies or procedures of the WBCSD, legal codes of the State of Idaho, and/or individual school rules or procedures may result in disciplinary measures, including suspension and discharge.

The Superintendent is authorized to suspend certified employees immediately pending review by the Board of Trustees at the next regularly scheduled meeting.

Discharge of Certificated Employees

Employees Receiving Limited Contracts

A limited contract is specifically offered only for the duration of the school year. This district is under no obligation to give further notice to terminate the contract at the conclusion of the contract year. The district is further under no obligation to rehire a certificated employee who received a limited contract.

Employees Receiving Annual Contracts

When a certificated employee's work is found to be unsatisfactory, a reasonable period of probation will be established by the board. At the end of the probationary period, the board will

decide whether the employee is to be retained, immediately discharged, discharged upon termination of the current contract or reemployed at the end of the contract term under a continuing probationary status.

Employees Receiving Renewable Contracts

Before the board can determine not to renew a contract for reasons of unsatisfactory report of the performance of any certificated person whose contract would otherwise be automatically be renewed, or to renew the contract of an employee at a reduced salary, the employee will be entitled to a reasonable period of probation.

Discharge of Certificated Employees

Any certificated employee during the limited contract period, annual contract period or with a renewable contract may be discharged only after the following procedures are met:

1. The superintendent or other authorized administrative officer may recommend the discharge of any certificated employee by filing with the board written notice specifying the alleged reasons for discharge.
2. Upon receipt of the notice, the board, acting through its designee, will give the affected employee written notice of the allegations and the recommendation of discharge, along with a written notice of a hearing before the board prior to any determination by the board.
3. The hearing will be scheduled to take place not less than six (6) days or more than twenty-one (21) days after receipt of the notice by the employee. The date provided for the hearing may be changed by mutual consent.
4. The hearing will be public unless the employee requests in writing that it be in executive session.
5. All testimony at the hearing will be given under oath or affirmation. Any member of the board, or the clerk of the board, may administer oaths to witnesses or affirmations by witnesses.
6. The employee may be represented by legal counsel and/or by a representative of a local or state teachers association.
7. The chairman of the board or his or her designee will conduct the hearing.
8. The board will cause an electronic record of the hearing to be made, or will employ a competent reporter to take stenographic or steno-type notes of all the testimony at the hearing. A transcript of the hearing will be provided at cost by the board upon request of the employee.

9. At the hearing, the superintendent or duly authorized administrative officer will present evidence to substantiate the allegations contained in the notice received by the board.
10. The employee may produce evidence to refute the allegations. Any witness presented by the superintendent or by the employee will be subject to cross examination. The board may also examine witnesses and be represented by counsel.
11. The affected employee may file written briefs and arguments with the board within three (3) days after the close of the hearing or such other time as may be agreed upon by the affected employee of the board.
12. Within fifteen (15) days following the close of the hearing, the board will determine and, acting through their duly authorized administrative official, notify the employee in writing whether the evidence presented at the hearing established the truth of the allegations and whether the employee is to be retained, immediately discharged, or be discharged upon termination of the current contract.

Legal Reference: Idaho Code Section 33-513
 Idaho Code Section 33-514
 Idaho Code Section 33-514A
 Idaho Code Section 33-515

Policy History:

Adopted on: March 12, 2008

Revised on: