

Administrative Guidelines – “Employee Misconduct Reporting”

Related Policies: 3139.02 (Certified) and 4139.02 (Classified) - “Employee Misconduct Reporting”

Guideline Number: AG 3139.02 and 4139.02

Effective Date: August 12, 2025

Responsible Administrator: Superintendent or Designee

1. Purpose

These administrative guidelines provide step-by-step instructions for implementing the board policy on Employee Misconduct Reporting. The goals are to ensure consistent handling of complaints, protect the rights of all parties, and maintain compliance with legal obligations and board expectations.

2. Definitions

- **Misconduct:** Any violation of board policy, law, regulation, professional standards, or district expectations as outlined in the policy.
- **Immediate Supervisor:** The person directly responsible for overseeing the employee’s work (e.g., principal, department head).
- **PSW Portal:** The district’s online reporting platform through Public School Works, used to submit and manage formal misconduct reports.
- **Designated Investigator:** The individual assigned by the Superintendent or Board President to conduct an inquiry or investigation.

3. Step-by-Step Procedures

A. Initial Report

1. Employee reports concern to their immediate supervisor.
 - a. Supervisor documents the concern and discusses it with the employee.
 - b. If concern appears to meet the threshold for formal review, advise employee to submit a report in the PSW portal.
2. If concern involves the supervisor:
 - a. Employee bypasses the supervisor and submits a PSW report directly.
3. If concern involves the Superintendent:
 - a. Employee sends a confidential email to the Board President using the provided template.

B. Submitting a PSW Report

1. Employee logs into PSW portal.
2. Completes all required fields, including:
 - a. Date and time of incident
 - b. Individuals involved
 - c. Description of the concern

- d. Supporting documentation, if applicable
3. Submits the report.
4. PSW automatically notifies the Superintendent.

C. Administrative Response – Superintendent's Role

Upon receiving a PSW report, the Superintendent (or designee):

1. Reviews the report within 2 business days.
2. Assigns an investigator (e.g., HR director, building principal, or third-party investigator depending on the nature of the complaint).
3. Ensures conflict-free investigation assignment (e.g., if principal is involved, do not assign that individual).
4. Contacts the reporting employee within 3–5 business days to:
 - a. Acknowledge receipt
 - b. Clarify the concern if needed
 - c. Explain next steps

D. Investigation Procedures

The designated investigator:

1. Develops an investigation plan, including interviews and evidence gathering.
2. Conducts the investigation confidentially and promptly, ideally completing the process within 10–15 business days.
3. Submits findings and recommendation to the Superintendent.

E. Outcome and Documentation

1. Superintendent reviews findings and determines if misconduct occurred.
2. If misconduct is substantiated:
 - a. Implements appropriate corrective or disciplinary action in accordance with board policy, contract terms, and state law.
3. If unsubstantiated:
 - a. Documents rationale and closes the case.
4. All records are securely stored in the district's confidential PSW case management system.

F. Reports Involving the Superintendent

1. Board President receives emailed report.
2. Board President:
 - a. Acknowledges receipt to the employee within 2 business days
 - b. Consults with legal counsel if needed
 - c. Initiates an investigation via outside counsel, HR firm, or board committee
3. Board retains all decision-making authority regarding Superintendent discipline.

