

PERSONNEL

Disciplinary Action and Discharge

Classified Staff

A. Member of Bargaining Unit:

Imposition of discipline on classified personnel who are members of recognized bargaining units shall be accomplished in a manner which is consistent with that employee's collective bargaining agreement.

B. Classified Personnel Not Associated with Bargaining Unit:

Imposition of discipline on classified personnel who are not members of recognized bargaining units shall be accomplished in the manner prescribed in Policy 5255.

C. All Classified Staff:

Whether the affected classified employee is a member of a recognized bargaining unit or not, in the case of dismissal, the superintendent or designee shall issue a notice of intention to recommend dismissal to the school board and shall tender that recommendation to the school board at its next regular meeting or at a special meeting called for that purpose with prior notice to the affected employee or his representative. Final action on dismissal shall be by the school board and not the superintendent or designee.

In appropriate circumstances, the superintendent or designee may elect to suspend an employee and restrict access to school grounds and students pending final school board action.

Certificated Staff

A. Members of Bargaining Unit:

Imposition of discipline on certificated personnel who are members of recognized bargaining units shall be accomplished in a manner which is consistent with that employee's collective bargaining agreement.

B. Certificated Personnel Not Associated with Bargaining Unit:

Imposition of discipline on certificated personnel who are not members of recognized bargaining units shall be accomplished in the manner prescribed in Policy 5255.

Administrative Regulation No. 5255
Disciplinary Action and Discharge - Continued

C. All Certificated Staff:

Whether the affected certificated employee is a member of a recognized bargaining unit or not, in the case of dismissal, the superintendent shall decide whether or not to issue a notice of sufficient cause for dismissal. Other than a review step which may be called for in a negotiated agreement, the school board shall not be involved in that decision making process.

All Personnel

A. Imposition of Discipline:

As regards imposition of discipline, staff who hold certificates but are serving in classified positions shall be treated as classified personnel. When such person are members of recognized bargaining units subject to a collective bargaining agreement, the provisions of that collective bargaining agreement shall be considered applicable to imposition of discipline.

B. Suspension Pending Investigation:

When appropriate, all personnel shall be subject to a suspension pending investigation. This is a process which is intended to promptly determine whether or not sufficient cause or, as appropriate, just cause, exists to impose discipline, but this form of suspension is not considered a form of discipline, but this form of suspension is not considered a form of discipline. Instead, it shall be used as a protective measure to insure the health, safety, and welfare of students or staff, as appropriate, by removal of the suspected employee pending a determination as to whether imposition of discipline is appropriate and a determination as to the appropriate form of discipline to be applied.

C. Probation and Nonrenewal:

Probation and nonrenewal are not considered forms of discipline. Instead, these are procedures which should be utilized to attempt to remediate evaluative criteria deficiencies (probation) and remove employees from service when performance deficiencies negatively affect the educational process and efforts at remediation have failed. Except as otherwise provided in applicable collective bargaining agreement provisions, these procedures do not apply to classified employees and probationary procedures do not apply to certificated administrative employees.