

Disciplinary Action and Discharge

Purpose

This policy defines the scope of disciplinary action as well as describes the behavior, conduct or action which may initiate disciplinary action.

Scope

This policy applies to the Superintendent and Valley School District employees.

Policy

1. GROUNDS FOR DISCIPLINARY ACTION OR DISCHARGE

- 1.1. Employees who fail to fulfill their job responsibilities and follow the reasonable directions of their administrators and/or supervisors, or who conduct themselves on or off the job in ways that affect their effectiveness on the job may be subject to disciplinary action or discharge. Behavior, conduct or action which provides sufficient cause may warrant disciplinary action or discharge.
- 1.2. Behavior, conduct or action which may initiate disciplinary action or discharge may include, but is not limited to:
 - (a) Insubordination
 - (b) Gross incompetence
 - (c) Immorality
 - (d) Misconduct
 - (e) Sexual misconduct
 - (f) Guilty plea and/or conviction of a felony crime
 - (g) Nonprofessional conduct
 - (h) Mental or physical inability to perform the duties for which employed
 - (i) Intentional discrimination
 - (j) Vulgar speech or actions
 - (k) Violation of district policies and procedures
 - (l) Use of alcoholic beverages or controlled, illegal addictive substances on school premises
 - (m) Unauthorized use of district supplies and equipment for personal betterment or financial gain
- 1.3. Discipline will be reasonably appropriate to the circumstances and may include suspension or discharge.

1.4. Discharge or other adverse action affecting the contract status of certificated staff will be instituted by the Superintendent in the manner prescribed by law.

2. ABUSE AND SEXUAL MISCONDUCT

2.1. In the event that allegations or charges are made against a staff member for misconduct with minors, the Superintendent or designee may contact the Child Protective Services central registry for evidence regarding whether the staff member is an adjudicated or admitted perpetrator of child abuse or neglect. Appropriate reports will also be made to law enforcement, the Office of the Superintendent of Public Instruction, and the student's parents or guardians, as required by law.

2.2. The district will not enter into any contract that is contrary to law to suppress information about verbal or physical abuse or sexual misconduct by a present or former employee, and will comply with all legal requirements regarding such misconduct.

3. SUSPENSION OF STAFF

The Superintendent or designee(s) are authorized by the Board to suspend a staff member immediately as deemed appropriate. The staff member has the right to hear the charges against him/her, respond to all charges, and be represented by legal counsel.

Related Procedures

5280P1-Termination of Employment

5281P1-Disciplinary Action and Discharge

Policy Cross References

5005-Employment and Volunteers: Disclosures, Certification Requirements, Assurances and Approval

5280-Termination of Employment

Policy Legal References

RCW 28A.400.300 – Hiring and discharge of employees — Leaves for employees — Seniority and leave benefits, retention upon transfers between schools

RCW 28A.400.340 – Notice of discharge to contain notice or right to appeal if available

RCW 28A.405.300 – Adverse change in contract status of certificated employee — Determination of probable cause — Notice — Opportunity for hearings

RCW 28A.405.310 – Adverse change in contract status of certificated employee, including non-renewal of contract — Hearings — Procedure

RCW 28A.410.090 – Revocation of authority to teach

RCW 28A.400.320 – Mandatory termination of classified employees

RCW 28A.405.470 – Mandatory termination of certified employees

RCW 28A.400.340 – Notice of discharge to contain notice of right to appeal if available

Chapter 181-86 WAC – Policies and procedures for administration of certification proceedings

Chapter 181-87 WAC – Acts of Unprofessional Conduct

WAC 180-44-060 – Drugs and alcohol — Use of as cause for dismissal

Management Resources

Policy & Legal News, December 2015

Policy & Legal News, December 2014

Policy News, October 2004 - Sexual Misconduct Definition

Policy History

Action:	Date:
Approved by the Board	April 16, 2014
Revised	June 15, 2016
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