

# Employee Misconduct

## Employee

## Administrator

### Notification

The employee will be notified of the investigatory/fact finding meeting. When applicable, this notice will include the alleged charges including times, dates and locations of the chargeable actions or omissions. The employee has the right to union representation and must be advised of that right. If the employee requests union representation, no interview or interrogation of the employee may occur without union representation present.

### Investigatory/Fact Finding Meeting

The administrator directly involved in the incident and/or direct supervisor along with a second administrator will conduct an investigatory/ fact finding meeting to investigate whether there has been misconduct that may warrant disciplinary action. Certain CBAs require that the employee must sign and return the statement acknowledging the receipt of the notification. Thus, you should require that all employees do so to help ensure that nothing falls through the cracks.

### Investigatory/Fact Finding Meeting

This meeting will help determine the need to move forward or not with disciplinary action. Employee will respond to questions and requests for information by administrators regarding the allegations being brought against him/her. The union representative may support the employee or provide comment but may not answer questions for the employee. Likewise, this is not an opportunity for the employee and union representative to ask questions of the administrator. The employee must answer the administrator's questions and should be told that failure to do so will constitute insubordination with disciplinary consequences, up to and including termination.

### Investigation

After the investigatory/ fact finding meeting, the administrator will gather any additional necessary information and investigate the allegations against the employee.

### Pre-Discipline Meeting

The employee and representative will have the opportunity to clarify and give any additional information about the allegations brought against them. The employee will have the right to present evidence and respond to the charges.

### Pre-Discipline Meeting

If the administrator determines that discipline may be warranted after the investigatory/fact finding meeting, they will then conduct a pre-discipline meeting with the employee and their representative. You must review the applicable CBA to follow all applicable due process procedures and ensure that you provide all requisite

<p>The employee has the right to union representation at this meeting.</p>	<p>information to the employee in connection with this meeting.</p>
<p style="text-align: center;"><b>Discipline (General)</b></p> <p>Employees misconduct may warrant progressive discipline in certain circumstances. However, more severe offenses will justify more severe consequences, including potential termination even for a first offense. Regardless, employees reserve the right to resort to the grievance procedure over disciplinary action, so compliance with applicable CBA provisions and general due process tenets is critical.</p>	<p style="text-align: center;"><b>Discipline (General)</b></p> <p>The administrator will send a letter to the employee with a recommendation for discipline in a progressive corrective manner to be determined by the administrator. Discipline will be assigned, determined on a case-by-case basis. The administrator, based on the severity of the infraction, shall determine the sequence of the discipline. Discipline measures may result in verbal reprimand, written reprimand, suspension or loss of pay or termination. Suspension, reduction/demotion, loss of pay or termination recommendations require a <u>Loudermill</u> hearing.</p>
<p style="text-align: center;"><b><u>Loudermill</u> Hearing/Discipline (High Level)</b></p> <p>When suspension, reduction/demotion, loss of pay or termination is recommended as discipline, the employee shall be provided due process through a <u>Loudermill</u> hearing before the Superintendent or his designee. A draft copy of the Board resolution setting forth the grounds for suspension, reduction/demotion, loss of pay, or termination should be provided to the employee in advance of the hearing. The Employee has the right to union representation at this hearing.</p>	<p style="text-align: center;"><b><u>Loudermill</u>/Discipline (High Level)</b></p> <p>Employee will be given notice of the due process <u>Loudermill</u> hearing prior to suspension, reduction/demotion, loss of pay or termination. The Loudermill Hearing will be held with the Superintendent or his designee and at least one additional administrator.</p> <p>If the administrator concludes that the proposed action should stand, then the recommendation for suspension, reduction, loss of pay or termination is advanced to the Board for its consideration and action during the public meeting.</p>