

Article IX.A.2.m. Corrective Discipline

A. Intent

1. This program of corrective employee discipline is intended to help promote and maintain a high level of acceptable performance on the part of all classified staff members, with the ultimate goal of creating the most productive working climate for employees, and the best possible learning environment for students.
2. The corrective discipline program is based on the concept that many employee performance problems can be corrected through the systematic use of progressive discipline, with increasingly severe penalties for repeated or serious instances of employee misconduct.

By applying the steps of corrective discipline, the District hopes to correct any patterns of unacceptable conduct on the part of classified employees. If, however, an employee remains unable or unwilling to correct such conduct, the District has an obligation to pursue the steps required for the orderly dismissal of the individual from District employment.

3. The objectives of corrective discipline can be stated as follows:
 - To help correct performance problems.
 - To help communicate what is expected.
 - To establish consistent standards.
 - To protect the District's investment in employee training.
 - To preserve the individual's employment when possible.
 - To dismiss with fairness when necessary.
4. The corrective discipline program assumes that fair discipline of employees should incorporate the following elements:
 - Good communication of rules.
 - Consistent application of rules.
 - Specific warning of problems.
 - Careful investigation of facts.
 - Chance to hear both sides of story.
 - Specific evidence of wrongdoing.
 - Level of discipline that fits level of infraction.
 - Progressive discipline for minor offenses.
 - More serious discipline for more serious offenses.

B. Definitions

1. Corrective Discipline includes any warnings, suspensions, or dismissals initiated by the Board or its representative against an employee for acts or omissions which shall include, but not be limited to, those acts or omissions described below.
2. Board is the Board of Education of Granite School District.

3. Employee is a regular contract classified employee after one year of continuous and current contract employment.
4. Intern, hourly (except Career Employees) and temporary employees are not subject to the provision of this Corrective Discipline Policy. Such employees have no expectation for continuing employment with the District; they may not use the grievance procedures or the orderly termination procedure to appeal their suspension or dismissal, or any decision by the District not to renew their contract.

C. Grounds for Discipline

Just cause for disciplinary action, up to and including dismissal, shall include but not be limited to the following acts or omissions by a regular classified employee. Such acts or omissions shall constitute misconduct under the provision of this corrective discipline program.

1. Conduct which violates any established rule, regulation, policy or directive.
2. Conduct which violates any provision of the collective bargaining agreement between the Board and the employee's association.
3. Conduct which violates the criminal law of this state or of the United States.
4. Conduct which violates common established standards of morality.
5. Conduct which exposes the District to censure, ridicule or reproach.
6. Theft.
7. Use of District property for personal gain.
8. Negligent or willful damage to District property.
9. Waste of District supplies or equipment.
10. Dishonesty or falsification of any information supplied to the school District, including data on application forms, employment records, time and attendance records, or other information given to the District. Failure to divulge information which is vital to the district for hiring consideration or other matters.
11. Unexcused absence.
12. Excessive tardiness.
13. Excessive absenteeism.
14. Abuse of sick leave.

15. Incompetence or inefficiency in the performance of duties.
16. Negligence or carelessness in the performance of duties.
17. Bringing an intoxicant onto school property; consuming an intoxicant on school property; or reporting for work under the influence of an intoxicant.
18. Bringing a narcotic or other controlled substance onto school property; using a narcotic or other controlled substance on school property; or reporting for work under the influence of a narcotic or other controlled substance.
19. Insubordination.
20. Assaulting another person.

D. Grounds for Immediate Suspension Pending an Investigation

Just cause for immediate suspension pending an investigation shall include **but not be limited to** the following alleged violations. These violations constitute such serious misconduct that immediate action is warranted.

1. Being arrested and accused of a felony.
2. Reporting for work under the influence of drugs or intoxicants.
3. Possession, use, or sale of drugs or intoxicants during employment.
4. Theft.
5. Negligence by an employee which endangers the lives of others.
6. Any violation of the District sexual harassment policy.
7. Willful damage to District or school property.
8. Falsification of records or data with the intent to defraud.
9. Fighting during employment.
10. Willful refusal to perform an assignment or to comply with a directive given by the employee's supervisor.
11. Assaulting another person.

E. Persons Qualified to Issue or Initiate Corrective Discipline

1. The Board, the Superintendent, and any administrator, supervisor or foreman may issue or initiate corrective discipline relative to classified employees of the District who are under their jurisdiction.
2. Suspensions and dismissals shall not be given without the approval of the appropriate member of the superintendency.

F. Communication of Rules

1. Each classified employee will be given a copy of the blue Classified Employee Handbook.
2. Whenever rules, regulations or policies are adopted which are not included in the Handbook, copies will be given to all affected employees in memorandum form.

G. Forms of Corrective Discipline

Misconduct may be grounds for applying the following corrective disciplinary measures:

1. Verbal Warning.
2. Written Warning.
3. A Career Decision Day or Suspension Without Pay and Final Warning.
4. Dismissal.

Such disciplinary measures shall be applied according to the terms and procedures contained in the subsequent sections of this policy, and according to any applicable provisions of the law or the negotiated contract.

H. Verbal Warning

1. A verbal warning may be given to an employee for misconduct.
2. Verbal warnings should serve notice to the employee that the specific conduct in question is considered undesirable and needs to be corrected.
3. Written documentation shall be made of all verbal warnings. Such written documentation shall not be placed in the employee's personnel file, but shall be kept by the supervisor and used later, if necessary, in preparing any written warnings or other discipline which may subsequently be required.

I. Written Warning

1. A written warning may be issued if previous warnings fail to cause correction of the employee's misconduct, or if the seriousness of the misconduct warrants the initiation of disciplinary action at this level.

2. The immediate supervisor shall prepare one original of the written warning and make one copy of the original. The written warning shall be personally delivered to the employee.
3. The employee shall sign a copy of the written warning to indicate (only) that the employee has received and reviewed it.
4. The immediate supervisor shall make a copy of the written warning that is signed by the employee for his/her own file. The signed copy of the written warning shall be delivered to the personnel office for placement in the employee's personnel file.

J. Career Decision Day/Suspension Without Pay and Final Warning

1. An employee may be assigned a career decision day with pay or may be suspended without pay if previous warnings fail to cause correction of the employee's misconduct, or if the seriousness of the misconduct warrants the initiation of disciplinary action at this level.

The supervisor should meet with the employee and should notify the employee in advance that the meeting will be to discuss possible disciplinary action. The employee should be informed that he or she is entitled to have a representative present during the meeting. The purpose of this meeting shall be:

- a. To give the employee the specifics of the charges against the employee;
 - b. To review with the employee the evidence on which the charges are based;
 - c. To give the employee an opportunity to state his or her own explanation of what happened;
 - d. To give the employee an opportunity to defend his or her conduct;
 - e. To seek agreement on as many facts as possible in the case;
 - f. To give the supervisor a chance to hear both sides, gather additional relevant information, and review the case with the assistant superintendent before finalizing any disciplinary action.
2. Once the supervisor and assistant superintendent have made a decision regarding the level of disciplinary action, a meeting will be scheduled with the employee. The employee should be informed that the meeting will be to discuss disciplinary action. The employee should also be informed that he or she is entitled to have a representative present during the meeting. If the decision is to allow the choice of a career-decision day, the employee should be told to come to the meeting prepared to choose between a paid career decision day or a day off without pay. A paid career decision day choice would invalidate any appeal or grievance rights normally available to the employee for the specific conduct in question. This

choice would not necessarily be viewed as an admission of guilt, but rather a no-contest issue. If necessary, the employee may request 24 hours to decide between a career decision day and a one-day suspension without pay.

3. The Classified Personnel Office will prepare a disciplinary letter assigning the Career Decision Day and have it signed by the appropriate member of the Superintendentcy. This letter and one copy will be provided to the immediate supervisor to be personally delivered to the employee. The employee will be given the original and asked to sign the copy. The immediate supervisor will make a copy of the letter that is signed by the employee for his/her personal file and return the copy signed by the employee to the Personnel Office for placement in the employee's personnel file.
4. The administration may direct a one-day suspension without pay, without choice, if the violation is serious and just short of termination. The following guidelines should be followed:

Career-decision Day:

- a. The employee will report to an office or location so designated by the supervisor, at a specified time.
- b. The employee will meet with the personnel director or his designee, the supervisor, and the employee's association president or designee to:
 - i. Review the items upon which the discipline is based.
 - ii. Verify that the employee fully understands what is expected of him/her.
 - iii. Get a commitment in writing (Career Decision Statement) from the employee of future compliance and the understanding that dismissal shall occur if further similar violations occur during a twelve month period of time from the career decision day. All documentation will be placed in the employee's file.
 - iv. Verify that the employee waives rights to a grievance or appeal.
- c. The employee will be directed to further activities for the day other than his or her regular work assignment: i.e. unemployment office, special project, etc.
- d. A career decision day is the same level of discipline as a one-day suspension without pay and will carry that same weight in any disciplinary action against the same employee after the initial twelve month time period.

One-day Suspension Without Pay:

- a. Disciplinary suspension without pay shall be for one (1) working day, and shall include final warning that if the misconduct is not corrected, the employee will be dismissed.
- b. All suspensions shall be formalized in writing within two working days after the suspension is given.
- c. The Classified Personnel Office will prepare a letter of suspension and have it signed by the appropriate member of the Superintendency. The letter of suspension and one copy shall be personally delivered to the employee, or delivered by certified mail to the employee's last known address. Letters of suspension shall state the dates of suspension and the reason(s) for suspension.
- d. The employee shall sign a copy of the letter of suspension to indicate (only) that the employee has received and reviewed it.
- e. The signed copy of the letter of suspension shall be placed in the employee's personnel file.
- f. The employee may request an informal conference with the appropriate member of the superintendency to discuss the suspension.
- g. The employee has the right to appeal the suspension, if the employee chooses to do so, by referring to step three of the Classified Grievance Procedure. Any appeal must be filed in writing in the superintendent's office within five (5) calendar days after receiving the notice of suspension.
- h. If the suspension is found on appeal to be unjustified, final action on the matter shall include appropriate reinstatement of lost pay.

K. Dismissal

1. An employee may be dismissed if previous warnings or suspension fail to cause correction of the employee's misconduct, or if the seriousness of the misconduct warrants the initiation of disciplinary action at this level.
2. Whenever possible, the supervisor should meet with the employee before a dismissal notice is issued. The supervisor should notify the employee in advance that the meeting will be to discuss possible disciplinary action against the employee. The employee should be informed that he or she is entitled to have a representative present during the meeting. The purpose of this meeting shall be:
 - a. To give the employee the specifics of the charges against the employee;

- b. To review with the employee the evidence on which the charges and the proposed discipline are based;
 - c. To give the employee an opportunity to state his or her own explanation of what happened;
 - d. To give the employee an opportunity to defend his or her conduct;
 - e. To seek agreement on as many facts as possible in the case;
 - f. To give the supervisor a chance to hear both sides and gather additional relevant information before finalizing any disciplinary action.
3. The date of dismissal shall be no sooner than fifteen (15) calendar days following delivery of the dismissal notice.
 4. When it would be in the best interest of the District to remove the employee from work immediately, the employee may be suspended without pay for any scheduled working days between the date of the dismissal notice and the date of dismissal.
 5. Notice of dismissal shall be in writing, and shall be personally delivered to the employee or delivered by certified mail to the employee's last known address. Dismissal notices shall state the date of dismissal and the reason(s) for dismissal.
 6. The employee shall sign a copy of the dismissal notice to indicate (only) that the employee has received and reviewed it.
 7. The signed copy of the dismissal notice shall be placed in the employee's personnel file.
 8. The employee may request an informal conference with the appropriate member of the superintendency to discuss the dismissal.
 9. The employee has the right to appeal the dismissal, if the employee chooses to do so by referring to steps three and four of the Classified Grievance Procedure. Any appeal must be filed in writing in the superintendent's office within five (5) calendar days after receiving the notice of dismissal.
 10. If the dismissal is found on appeal to be unjustified, final action on the matter shall include appropriate reinstatement of lost pay.

L. Finality of Discipline

1. Warning notices, suspension notices, dismissal notices or any other documentation of disciplinary action shall be withdrawn from the personnel file and destroyed by the supervisor when the employee can demonstrate to the

supervisor that the documentation is not accurate, or that the discipline involved is not warranted by the facts and circumstances of the situation.

2. If the supervisor refuses to withdraw disciplinary materials which the employee feels are unjustified, the employee shall have the right to attach his or her own written view of the matter as part of the entry in the file.
3. Without a subsequent documented history of disciplinary action, records of previous discipline which are more than four (4) years old may not be used in imposing current discipline.

M. Major and Minor Violations

1. Discipline should be appropriate to the offense and to the offender. Discipline should be applied equally and consistently to all like offenders.
2. For minor offenses, discipline should be applied progressively, from the minimum of verbal warnings throughout the range of disciplinary measures, until the maximum measure of dismissal is reached.
3. For serious offenses, discipline should begin further along in the discipline scale. For certain types of very serious misconduct, immediate dismissal is justified, with no prior warnings or disciplinary suspension. In such cases the employee is normally suspended immediately pending an investigation, and dismissal will follow if the investigation shows that dismissal is justified.
4. In each instance the facts of the individual case should also be evaluated for distinguishing circumstances which may justify imposing a differing degree of discipline for the same type of offense. Repeating offenders, for example, in the same or different types of offenses may justifiably receive more serious disciplinary measures than first-time offenders with no previous record of problems. It must be emphasized, however, that when such distinctions are made, they must be carefully recorded and preserved for future application, equally and consistently, to all like offenders.
5. Following are some examples of progressively serious violations and the respective levels of discipline that might justifiably be imposed. These examples illustrate the way in which more serious violations warrant progressively more serious discipline. This listing is intended merely to illustrate some of the concepts involved in the corrective discipline program. It is not a comprehensive catalogue of possible violations, nor does it try to account for all the relevant circumstances that might have a bearing on the case per #4 above.

	<u>OFFENSE</u>	<u>TYPE OF VIOLATION</u>	<u>DISCIPLINE</u>
A.	First	Tardiness	Verbal Warning
	Second	Tardiness	Written Warning
	Third	Tardiness	Suspension

B.	First Second Third	Waste of District Property Insubordination Smoking in Prohibited Area	Verbal Warning Written Warning Suspension
C.	First Second Third	Damage to District Property Damage to District Property Insubordination	Written Warning Suspension Dismissal
D.	First	Theft	Dismissal
E.	First	Arson	Dismissal
F.	First	Intoxicated at Work	Dismissal
G.	First	Possession of Illegal Drugs	Dismissal
H.	First	Immoral Conduct with Student	Dismissal
I.	First	Assault	Dismissal