

BOARD POLICIES	STAFF DISCIPLINE, SUSPENSION, NONRENEWAL, AND TERMINATION (BP-7029) METRO TECHNOLOGY CENTERS	The on-line version of the policy is official. Therefore, all printed versions are unofficial copies.
----------------	--	--

1.0 POLICY:

Non-Application of Policy: This policy shall not apply to certified employees, who are covered by the Oklahoma School Code, probationary employees as defined in these policies and regulations, adult education instructors and adult coordinators.

Probationary Employees: If the Board does not vote to grant regular status for a probationary support employee prior to the end of the employee's probation, the superintendent may dismiss the probationary employee from employment with the District.

Other Reasons for Terminating Employment: According to appropriate policy and/or any applicable negotiated agreement, all employees may also be dismissed, demoted, laid off, nonrenewed, or their work schedule suspended without pay for lack of work, destruction of buildings, or suspension of school because of illnesses or disasters. Such action shall not be subject to this policy.

Definition: As used in this policy, a support employee is a person who has completed the appropriate probationary period and is not excluded from coverage under the first paragraph above. A support employee is covered under this policy.

Types of Discipline: Action may be taken against an employee who violates established policies and/or regulations. The extent of the action will depend upon the seriousness of the violation and may range from a verbal reprimand to a recommendation for dismissal from employment. Action can be of a progressive nature designed to correct behavior in a manner that would allow said support employee to continue employment.

Acceptable forms of action to be taken are as follows:

- A. Verbal reprimand
- B. Written reprimand
- C. Disciplinary probation
- D. Recommending suspension from duty
- E. Recommending demotion with permanent reduction in pay
- F. Recommending dismissal from employment

This list is not in priority order and shall be imposed as deemed appropriate by the District.

Any action taken shall be reported in writing on a Human Resources Department approved form.

In deciding upon a course of action, the supervisor shall take into consideration the seriousness of the violation, the previous work record of the support employee, and any mitigating or extenuating circumstances related to the violation. Any action that will become a part of the

BOARD POLICIES	STAFF DISCIPLINE, SUSPENSION, NONRENEWAL, AND TERMINATION (BP-7029) METRO TECHNOLOGY CENTERS	The on-line version of the policy is official. Therefore, all printed versions are unofficial copies.
----------------	--	--

employee's official personnel file must be reviewed by the superintendent before the action can become official.

Suspensions from duty without pay will require action of the appropriate associate/assistant superintendent. Demotions and dismissals will require Board action.

A Significant Event Report is to be completed by the support employee's immediate supervisor when a written record of disciplinary action is required. The completed report is to be reviewed and signed by the administrator at the next highest level above that of the person who completes the report. The supervisor should discuss the report with the support employee, explaining the report and its meaning to the support employee and responding to any questions or comments. The support employee must sign the Significant Event Report. The support employee's signature will only acknowledge receipt of the report and not necessarily imply agreement with its contents. Refusal of the employee to acknowledge receipt of the report by his/her signature will be reported on the form. The report will be forwarded to the superintendent.

DISCIPLINE AND TERMINATION

Support Employees: Justifiable reasons for suspension without pay, demotion, nonrenewal, or dismissal of support employees are:

- A. Incompetence - inability to satisfactorily perform the required functions of the position.
- B. Willful neglect of duty - knowingly failing or refusing to carry out the required functions of the position.
- C. Immorality on or off the job.
- D. Willful or persistent violation of school laws, board policies, or administrative regulations.
- E. Commission of an act which would be a felony.
- F. Reporting to work or attempting to work under the influence of intoxicants or controlled dangerous substances.
- G. Involvement in the sale or distribution of controlled dangerous substances in any location.
- H. Unauthorized and excessive absenteeism or tardiness.
- I. Utilization of the District's materials, equipment or funds for unauthorized or personal use or gain.
- J. Failure to follow the reasonable directions of supervisors or of the Board.
- K. Failure to call in for three (3) consecutive days when absent from work assignment.

BOARD POLICIES	STAFF DISCIPLINE, SUSPENSION, NONRENEWAL, AND TERMINATION (BP-7029) METRO TECHNOLOGY CENTERS	The on-line version of the policy is official. Therefore, all printed versions are unofficial copies.
----------------	--	--

- L. Abandonment of a position of employment.
- M. Harassment of or discrimination against any other employee, student, or customer, because of age, sex, national origin, race, or disability.
- N. Providing false information on employment application.
- O. Failure to comply with the District Code of Ethics, as outlined in BP-2030.

If an alleged violation which gives rise to a recommendation to demote or to dismiss is such that it may affect the safety or welfare of any person, including students or other employees, and it appears to be in the best interest of the District to remove the support employee from the immediate environment pending the outcome of an investigation, court proceeding, medical evaluation of the support employee or exhaustion of internal appeal procedures, the superintendent is authorized to:

- A. reassign the support employee to another position but maintain the same salary until the Board has acted; or
- B. suspend the support employee.

Suspension: The superintendent is authorized to suspend support employees from duty without pay for the above listed causes. Suspension without pay shall not exceed ten (10) working days, unless a recommendation to dismiss or demote is forwarded to the Board for action or in a case involving a criminal charge or indictment or when the District has filed a criminal report relating to the incident of the employee's suspension with an appropriate police department, the suspension without pay shall extend until the support employee's case is dismissed or adjudicated at a trial. When a support employee is suspended, any annual leave shall be used. If no annual leave is available, the leave shall be without pay. At the end of the suspension period, the support employee shall be reinstated, except as provided above.

If an appeal to the Board is successful and a suspension without pay is overturned, the support employee shall be granted extra annual leave days in the amount for which he/she was suspended without pay. At the District's discretion, or when leave is not accrued, the employee will be paid for the time.

Demotion: Support employees may be demoted by the Board for cause, as listed herein. A demotion is the permanent reduction of pay of a support employee for cause, as listed in this policy.

Dismissals: Support employees may be dismissed from employment for cause, as listed herein by the Board of Education.

Nonrenewal: Support employees may be nonrenewed for cause, as listed by the Board of Education.

BOARD POLICIES	STAFF DISCIPLINE, SUSPENSION, NONRENEWAL, AND TERMINATION (BP-7029) METRO TECHNOLOGY CENTERS	The on-line version of the policy is official. Therefore, all printed versions are unofficial copies.
----------------	--	--

Due Process: Support employees are entitled to due process related to dismissal, demotion, nonrenewal and suspension without pay.

Right to Hearing: After any suspension or prior to any termination or demotion, a support employee shall be notified by certified mail of the right to a hearing conducted by the Board (Board Policy BP-2028). Failure of the support employee to request a hearing from the Board Clerk within ten (10) working days of such notice shall be considered a waiver of the support employee's right to a hearing and will make the action final and non-appealable.

If a support employee requests a hearing, the hearing will be conducted as soon as practical, consistent with the due process right to adequate time to prepare a defense.

Board's Authority: The Board reserves the right to order and administer discipline, remedy and or other action as it deems necessary. Examples are:

- A. Direct further investigation.
- B. Lower the penalty imposed.
- C. Direct a continued hearing to consider a more severe penalty. Said continuation will be adequate for the employee to respond to the possibility of increased penalty.

2.0 LEGAL REFERENCE: 70 O.S. § 6-101.40 et seq.

3.0 CROSS REFERENCE: BP-2028, BP-2030, BP-7014

4.0 REVISION HISTORY:

<u>Date:</u>	<u>Revision</u>	<u>Description of Revision:</u>
10-8-84	A	Adopted
8-9-93	B	Revised
5-8-95	C	Revised
7-15-96	D	Revised
9-22-03	E	Reformatted
12-15-03	F	Legal references reviewed and revised as necessary
11-22-04	G	Revised
9-13-11	H	Revised header and footer format; added K. Failure to call in for three (3) consecutive days when absent from work assignment; added Cross Reference BP-7014; revised date format under Revision History

5.0 PCF FRAMEWORK #: 6.3.2 Manage employee performance

***** End of Policy *****