

PENN MANOR SCHOOL DISTRICT

ADMINISTRATIVE REGULATION

APPROVED: October 17, 2012

REVISED:

317-AR-1. DISCIPLINARY PROCEDURES

At times, district administrators will be required to take disciplinary action against district employees whose behavior is incompetent, immoral, negligent, cruel or is in violation of federal or state laws or Board policy, administrative regulations, rules or procedures.

Administrators will take disciplinary action in all incidents where just cause exists. When informed of an employee violation, administrators will be responsible to:

1. Conduct a fair, reasonable and objective inquiry into the reported violation to determine whether the employee's action/behavior was an infraction.
2. Obtain substantial evidence of the infraction.
3. Determine which law, Board policy, administrative regulation, rule or procedure was violated by the employee.
4. Determine that the employee had an opportunity to become informed about the rules and regulations applicable to him/her and was oriented to his/her job duties and responsibilities.
5. Determine the extent that the violation impacted the educational or operational activities, effectiveness or efficiency of the district.
6. Determine the appropriate discipline relative to the seriousness of the violation and the employee's record of district service and prepare a corrective plan for the employee, when applicable.

For each employee violation, the responsible administrator will meet with the employee to discuss the violation and resulting discipline. The administrator will take the following steps:

1. Document the law, Board policy, administrative regulation, rule or procedure that the employee is violating. This includes the Code of Professional Practice and Conduct for Educators and Board approved plans, such as the Strategic Plan, Staff Development Plan and Teacher Induction Plan.
2. Document the infraction with specifics as to the behavior/activity observed, date, time, place, names of victims, and names of witnesses.

3. Document the administration's response to the violation, including specific and explicit written directions to the employee, including the date and time of the disciplinary meeting, discipline imposed, timeline for correction, and offer of assistance.
4. Provide an opportunity for the employee to respond to the allegation, either verbally or in writing, before the imposition of discipline, except in exigent circumstances. In exigent circumstances, the opportunity for a response will be provided as soon as reasonably possible.
5. Document the employee's response to the administrator.
6. Notify employee of the discipline imposed for the employee's violation.
7. Document any other pertinent information discussed during the meeting or resulting as an outcome.
8. Provide a copy of documentation to the Personnel Office for inclusion in the employee's personnel file and notify designated administrators when required.

Progressive Discipline

When an administrator has determined that an employee has committed a violation, the responsible administrator will follow the progressive discipline procedure. The severity of the violations will dictate the starting step. Serious violations by employees may result in suspension or discharge without prior discipline.

STEP ONE

Oral Warning – Used for a minor first-time violation.

1. The administrator must keep a written log noting all oral warnings given to all employees.
2. May be issued at any time, any place and recorded in the log.
3. Employee may request presence of a union representative when the warning is issued in a formal setting.
4. Warning should be brief and factual.

STEP TWO

Oral Reprimand – Used for a minor, second-time violation.

1. Done in a formal meeting with advance notice; employee may request presence of union representative.
2. Explain the violation to the employee.

3. Tell the employee what is expected and ask for his/her cooperation in correcting the behavior/action.
4. Allow the employee to respond and administrators to answer any questions.
5. State what the employee can expect if future violations occur.
6. Offer opportunities to correct problems by providing guidance and help to the employee; offers of assistance must be documented.
7. Prepare conference summary stating administrator's impression of the context and results of the meeting; retain original and give a copy to the employee.
8. Provide opportunity for employee to react.

STEP THREE

Written Warning/Reprimand – Used for repeated infractions of any violation and for any noncumulative violation of a more serious nature as determined by the administrator.

1. Done in a formal meeting with advance notice; the employee may request presence of a union representative.
2. Contents of the official written warning/reprimand will include:
 - a. Statement of specific material facts, such as date, time, place, actions of the employee and names of witnesses.
 - b. Reference to the law, policy, administrative regulation, rule or procedure that was violated.
 - c. List of all previous oral warnings/reprimands.
 - d. Statement that this is a written warning/reprimand and that the employee is being given an opportunity to improve performance or change behavior, and the district hopes s/he does so.
 - e. Statement that if the employee does not improve or change behavior, then s/he may be subject to disciplinary action, without stating any specific discipline.
3. Employee is given a copy of the written warning/reprimand and opportunity to respond.
4. Administrator forwards a copy of written warning/reprimand to the Personnel Office to be included in the employee's personnel file and notifies the Superintendent that the warning/reprimand was issued.

5. Follow-up conference with the employee, and union representative if s/he requests presence of one, to tell the employee what is expected, answer questions and ask for the employee's cooperation.

STEP FOUR

Suspension With Or Without Pay – Used for repeated violations and for a violation of a serious nature pending further investigation.

The Superintendent or designee only will take action at this level.

1. Consult with solicitor prior to any action.
2. If suspension is without pay, official action by the Board is required.
3. Conference held with the employee, with right to representation, prior to the beginning of any suspension.
4. Notice of the suspension will be handed to the employee, and another copy will be sent to the employee by certified mail, return receipt requested.
5. A hearing before the Superintendent or designee must be held, with the employee having the right of representation. The hearing must be held in accordance with the Local Agency Law.

STEP FIVE

Dismissal – Used for serious violations of law.

The Superintendent or designee only will take action at this level.

1. Consult with solicitor prior to any action and conduct a prehearing investigation, where applicable.
2. May or may not be preceded by a suspension.
3. Prepare a detailed statement of charges, in accordance with law, signed by the Board President and Board Secretary.
4. Dismissal must be done by official action by the Board.
5. Hearing before the Board, or a committee thereof, must be held, with the employee having the right of representation. Hearing is held in accordance with law.
6. No dismissal will be effective until the Board has adopted a written notice of discharge or an adjudication, in accordance with law.

7. Copy of the written notice or adjudication will be sent to the employee by certified mail, with return receipt requested, no later than ten (10) days after its adoption by the Board.