

## **Disciplinary Action and Discharge**

### **Grounds for Disciplinary Action or Discharge**

Staff who fails to fulfill their job responsibilities or follow the reasonable directions of their administrators or who conduct themselves on or off the job in ways that significantly affect their effectiveness on the job may be subject to disciplinary action or discharge. Such behavior, conduct, or action may include, but is not limited to:

1. Incompetence;
2. Inefficiency;
3. Misappropriation or misuse of district property;
4. Neglect of duty;
5. Insubordination;
6. Conviction/guilty plea of any crime which adversely affects the employee's ability to perform a job including any felony crime involving:
  - a. The physical neglect of a child;
  - b. The physical injury or death of a child;
  - c. Sexual exploitation of a child;
  - d. Sexual offenses;
  - e. Promotion of a minor for prostitution purposes; or
  - f. The sale or purchase of a minor child;

\*Employees are required to report in writing to the superintendent any conviction or guilty plea of the above referenced crimes (and of any other crimes that are workplace related) within five days of conviction or guilty plea.

7. Malfeasance;
8. Misconduct;
9. Inability to perform job functions;
10. Willful violation of district policies and procedures or laws and regulations;
11. Mistreatment, abuse, or assault of fellow workers, students, or members of the public;

12. Conflict of interest;
13. Abuse of leave;
14. Sexual harassment, verbal abuse, physical abuse or sexual misconduct;
15. Manufacture, possession, distribution, sale of being under the influence of alcohol, controlled, illegal, addictive or harmful substances including anabolic steroids;
16. Conduct (whether on the job or off the job) that has a substantial negative impact on performance;
17. Mental or physical inability to perform the essential job duties;
18. Intemperance;
19. Intentional discrimination;
20. Vulgar speech or actions;
21. Use of habit forming drugs without pharmaceutical prescription by a doctor or medicine licensed to practice in the state of Washington;
22. Use of alcoholic beverages on district premises or at a district sponsored activity off the district premises; or
23. Use of district supplies and equipment for personal betterment or financial gain or other improper purposes.

In the event that allegations or charges are made against a staff member for misconduct with minors, the superintendent may contact the Child Protective Services central registry for evidence regarding the staff member as 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 guardian, as required by law.

#### **Abuse and Sexual Misconduct**

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.

#### **Suspension of Staff**

The superintendent/designee is authorized to suspend a staff member immediately as deemed appropriate.

Cross References:

Policy 5006, Certification Revocation  
Policy 5240, Evaluation of Staff  
Policy 5280, Termination of Employment

Legal References:

RCW, 28A.400.300 Hiring and discharge of employees - Written leave policies - Seniority and leave benefits, retention upon transfers between schools and other educational employers  
RCW 28A.400.320, Crimes against children - Mandatory termination of classified employees – Appeal – Recovery of salary or compensation by district  
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.405.470, Crimes against children – Mandatory termination of certificated employees – Appeal – Recovery of salary or compensation  
RCW 28A.410.090, Revocation of authority to teach – Criminal basis – Complaints – Investigation – Process  
RCW 49.44.200, Personal social networking accounts – Restrictions on employer access – Definitions  
WAC 181-86, Policies and procedures for administration of certification proceedings  
WAC 181-87, Acts of Unprofessional Conduct

Management Resources:

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