

FERNDALE AREA SCHOOL DISTRICT

SECTION: SUPPORT **STAFF** EMPLOYEES

TITLE: CONDUCT/DISCIPLINARY
PROCEDURES

ADOPTED: MARCH 21, 2007

REVISED: MAY 7, 2008

517. CONDUCT/DISCIPLINARY PROCEDURES	
1. Purpose	All support staff are expected to conduct themselves in a manner consistent with appropriate and orderly behavior. Effective operation of district programs requires the cooperation of all employees working together under a system of policies and rules applied fairly and consistently. The orderly conduct of the district's functions requires compliance with these policies and rules, and consistent penalties and disciplinary procedures for violations.
2. Authority SC 510, 514	The Board directs that procedures be established whereby support staff is informed of the disciplinary actions that are considered appropriate and may be applied for violation of district policies, rules and procedures.
3. Delegation of Responsibility	The Superintendent or designee shall prepare and promulgate disciplinary rules for violations of district policies, rules and procedures that provide progressive penalties.
4. Guidelines	All support staff shall attempt to maintain order; perform assigned job functions; carry out directives issued by supervisors; and familiarize themselves and comply with adopted Board policies, administrative rules and regulations.
2 Pa. C.S.A. Sec. 551 et seq	In the event it is necessary to demote or discipline (other than dismissal) a member of the support staff for disciplinary reasons , a hearing shall be provided at the request of the support staff member that is the subject of the disciplinary action to the extent, if any, as required by statute or this policy . No employee, when engaged in assigned duties or when acting as an employee of district , shall participate in the following: <ol style="list-style-type: none"> 1. Physical or verbal abuse, or threat of harm, to anyone. 2. Causing damage to district property, facilities and equipment. 3. Forceful or unauthorized entry to or occupation of district facilities, buildings and grounds.

<p>Policy 551</p>	<ol style="list-style-type: none"> 4. Use, possession, distribution, or sale of alcohol, drugs or other illegal substances. 5. Use of profane or abusive language, symbols or conduct. 6. Failure to comply with directives of district officials, security officers, or other law enforcement officers. 7. Carrying or possessing a weapon on school grounds without authorization from the appropriate school administrator. 8. Violation of district policies, rules and regulations. 9. Conduct violating federal, state, or applicable municipal law or regulation. 10. Conduct that may obstruct, disrupt, or interfere with teaching, research, service, administrative, or disciplinary functions of the district, or any activity sponsored or approved by the Board. <p><u>Disciplinary Procedures (Other than for Dismissal)</u></p> <p>All actions for disciplinary action (other than dismissal) shall be conducted in accordance with law. In addition, the employee shall be notified immediately in writing of the disciplinary action being recommended (other than dismissal), whether he/she is suspended without pay pending a final determination in the matter, the factual reasons for the disciplinary action on the part of the district, and, in the case of a suspension, the right of the employee to have, on written request, a hearing before the Board on the findings and discipline imposed.</p> <p>The disciplinary process need not be progressive. The disciplinary process shall be conducted as follows, depending upon the severity of the infraction and the discipline that the Administration determines is appropriate, which shall govern the level of discipline that the Administration elects to impose:</p> <ol style="list-style-type: none"> 1. Oral warning by building principal or his/her substitute or Superintendent, with notation of infraction and acknowledgement of oral warning executed by employee placed into employee's personnel file, with, if administered by other than the Superintendent, a copy of the same being provided to the Superintendent; 2. Written warning by building principal or his/her substitute or Superintendent, with notation of infraction and acknowledgement of written warning executed by employee placed into employee's personnel
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file, with, if administered by other than the Superintendent, a copy of the same being provided to the Superintendent; and/or

3. Suspension for a specified number of days, as determined by the Superintendent, without pay, with a detailed written narrative of the facts as found by the decision maker, the witnesses who provided the factual information that formed the basis of the decision, and a written acknowledgement of receipt of the decision by the employee being placed into the employees file.

Should in any case, the employee refuse to execute the written acknowledgement, said fact shall be noted in writing by, as the case may be, the building principal or his/her substitute or the Superintendent, and such action shall form the basis of additional disciplinary action insubordination. The written acknowledgement by the employee SHALL NOT be or constitute an admission of the validity of the underlying facts that resulted in the discipline, or an agreement as to the factual conclusions or discipline imposed. Rather, it shall only be evidence of the employee having acknowledged the result of the disciplinary proceeding were provided to him/her as required by this policy.

The Board shall not suspend any employee except by the following procedure:

1. When the Superintendent has recommended suspension and the employee contests the facts or the severity of the discipline, a hearing date will be set, the employee shall be informed in writing of the time, place and date of the hearing, the factual basis for the action, the right of the employee to attend the hearing, the right of the employee to be represented by counsel, and the right of the employee to (or his/her counsel to) question witnesses called by the district and to call witnesses and introduce evidence contesting the factual position of district, and all Board members shall be informed in writing of the date and the reasons. After the hearing the Board shall hold an open meeting and take the appropriate action.
2. In the event the employee is to be suspended or some lesser discipline imposed after a hearing on the proposed suspension, it must be done at an open meeting with at least a majority of the sitting Board members voting in favor of the discipline to be imposed.

References:

School Code – 24 P.S. Sec. 510, 514

Local Agency Law – 2 Pa. C.S.A. Sec. 551 et seq.

Board Policy – 551