

## Board Policy

Code No. 404.1R3

### PROFESSIONAL RESPONSIBILITIES AND EMPLOYEE DISCIPLINE REGULATION

The purpose and intent of the Professional Responsibilities and Employee Discipline Policy is to ensure that each employee is aware of his or her responsibility in accordance with supporting the mission, vision and beliefs of the district.

#### **Professional Responsibilities:**

Employees fulfill their Professional Responsibilities when they:

1. Report to work fit for duty and remain fit while on duty,
2. Prepare for and diligently carry out all assigned duties as directed,
3. Comply with justifiable directives issued by duly recognized sources of authority,
4. Identify and control unsafe conditions and/or safety hazards and maintain safe and secure working and/or learning environments,
5. Demonstrate respect, fairness and dignity when interacting with students, staff, community members or others,
6. Comply with federal laws, state statutes and Bettendorf Community School District policies that prohibit conduct that could reasonably be construed as coercive, retaliating, harassing, intimidating, bullying, discriminating or threatening,
7. Communicate truthfully and honestly with regard to any matter of interest to Bettendorf Community School District and ensure that all records, disclosures or other written communications are full, fair, accurate, timely and understandable,
8. Acquire, use, maintain and dispose of Bettendorf Community School District assets in an ethical and responsible manner,
9. Maintain the confidentiality of information as required under federal laws, state statutes and Bettendorf Community School District policies,
10. Use established protocols to intervene against and/or report actions or behaviors that may represent one or more violations of federal law, state statutes or Bettendorf Community School District policy,
11. Refrain from activities outside of the contract day that may reasonably interfere with his or her ability to effectively perform duties as assigned or the legitimate operational interests of Bettendorf Community School District,
12. Comply with all established federal laws, state statutes and Bettendorf Community School District policies as well as established operational routines or procedures.

#### **Employee Discipline Process**

It is essential that prompt, corrective action is taken whenever Professional Responsibilities are not being met by an employee. In situations where employee actions or behaviors are found to represent one or more violations, disciplinary action must be considered.

An overview of the Employee Discipline Process is as follows:

**A.** Establishing grounds. The grounds for employee discipline must be determined. Where required, "Just Cause" must be established.

**B.** Verifying grounds. The grounds for employee discipline must be verified by an informal inquiry or a formal investigation conducted under presumption of innocence. If these grounds

are substantiated, the specifics of a charge will be described in as much detail as possible supported by all relevant evidence. Where applicable, a connection may be made for the employee between the charge and the mission, vision and beliefs of the district.

**C. Determining a course of action.** Only after the grounds for employee discipline have been substantiated will one of the following two general courses of disciplinary action be taken based on the specific ECOC violation involved and the presence or absence of the same or substantially similar disciplinary events in the past (where applicable): 1. Informal action (verbal warning and written warning) and 2. Formal action (official reprimand, suspension and discharge).

**D. Assessing the case facts.** Prior to initiating or recommending a specific type of discipline to accomplish either course of action, both the aggravating and mitigating factors in the case must be considered.

**E. Selecting or recommending a specific action.** Each ECOC violation is classified into one of five “relative severity” “tracks” and incidents within the same classification are processed along the same track from a progressive employee discipline standpoint. For each violation-interval pairing within the ECOC, a range of permitted disciplinary options is provided based on the relative severity of the misconduct involved (i.e. minor, moderate, major, non-disqualifying, and disqualifying). The specific action taken or recommended should reflect whether case facts involved were predominantly aggravating, predominantly mitigating, or roughly equal for the case in question.

**F. Considering the need for progressive discipline.** A single occurrence of some actions and behaviors may be as grave as to warrant immediate formal action up to and including discharge; however, repetitive misconduct of a lesser nature may require progressive more serious sanctions. In such cases of chronic employee conduct, progressive action should be taken when it is evident that either: 1) Non-disciplinary strategies, where used, did not result in a modification or suppression of the employee’s action(s); or 2) Previous disciplinary actions failed to correct a chronic ECOC violation.

**G. Documenting the action.** It is important that accurate documentation is maintained before, during and after each disciplinary action to protect both the interests of Bettendorf Community School District and the rights of the employee involved.

### **Delegation of Authority and Disciplinary Options**

Authority to issue verbal warnings and written warnings is delegated to those administrators and supervisors directly responsible for planning, directing and supervising the work of others. Authority to issue official reprimands, suspensions and discharges will remain with the superintendent/superintendent designee (director of human resources) and/or the board of directors. The disciplinary options are defined as follows:

**A. Verbal warning.** A verbal warning is defined as an informal disciplinary conference between an administrator or supervisor and an employee. A verbal warning is the least severe type of informal employee discipline and is meant to alert the employee to the fact that a deficiency has been noted.

**B. Written warning.** A written warning is defined as an informal notice given to an employee

when the grounds for employee discipline involved warrant an action that is more severe than a verbal warning but less severe than an official reprimand. A written warning is the most severe type of informal employee discipline and is meant to put the employee on notice for the action(s) or behavior(s) involved.

C. Official reprimand. An official reprimand is defined as a formal disciplinary notice that is given to an employee when the grounds for employee discipline involved warrant an action that is more severe than a written warning but less severe than a suspension. An official reprimand is the least severe type of formal employee discipline and is meant to serve as a statement of censure for misconduct of such concern that a permanent record of the incident(s) needs to be established.

D. Suspension. A suspension is defined as a formal disciplinary action whereby an employee is involuntarily separated from service on a temporary basis without pay for a finite time period when the grounds for employee discipline involved warrant action that is more severe than an official reprimand but less severe than a discharge. It is the most severe type of formal employee discipline that is still compatible with continued employment and is meant to serve as a significant consequence for either a serious lapse of judgment or for misconduct of such concern that the district must ensure that the employee understands that a repeat incident is likely to result in discharge.

E. Discharge. A discharge is defined as a formal disciplinary action whereby an employee is involuntarily separated from service on a permanent basis when the grounds for employee discipline involved warrant action that is more severe than a suspension. It is the most severe type of formal employee discipline and is typically taken when 1) the issue of employee remediation is either no longer valid or is otherwise irrelevant; 2) the misconduct involved is incompatible with initial or continued employment by the district.

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