

# GSD Corrective Action & Progressive Discipline



2023

# Resources

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- GSD Corrective Action and Progressive Discipline Handbook, July 2023
- Professional Agreement, Article 19: Suspension, Termination and Non-Renewal of Contract
- Article IX.A.4.c: Corrective Action, Progressive Discipline, and Orderly Termination

# Introduction

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Corrective action is pursued in response to violations of federal or state law, state administrative rules, provisions of current negotiated agreements, District policies, or in the event that an employee fails to fulfill assigned job related duties according to current performance standards, directives, job descriptions, or established expectations.

# Conduct

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## D. Corrective Action for Improper Conduct

1. Employees may be disciplined, suspended, nonrenewed, or terminated “for cause” for engaging in improper conduct during a contract term. The following is a non-exhaustive list of improper conduct:
  - a. violating an established law, regulation, rule, policy, or directive, including all criminal laws of the state or of the United States;
  - b. violating a provision of a negotiated agreement between the Board and a representative association;
  - c. causing, allowing, or failing to report abuse or other harm to a student;
  - d. engaging in sexual misconduct of any kind, committing a boundary violation with a student, or some other conduct prohibited by the employee code of conduct;
  - e. violating standards of ethical, moral, or professional conduct;
  - f. engaging in conduct that exposes the District to censure, damage, ridicule, or reproach;
  - g. bringing intoxicants, unprescribed narcotics, or any other unprescribed controlled substances onto school property, consuming the same on school property, or reporting for work under the influence of the same;
  - h. committing theft, misappropriating public funds or resources, or without authorization, using District property or equipment for personal gain;
  - i. willfully, recklessly, or negligently causing damage or allowing damage to be caused to District property;
  - j. falsifying or intentionally providing false or misleading information in the hiring process or in the performance of job duties including but not limited to information regarding students, timecards, application forms, investigations, complaints, employment records, or any other official records;
  - k. intentionally withholding or omitting information requested during the hiring process, during investigations, or in any other required circumstance;
  - l. engaging in prohibited discrimination or harassment of a student or employee of the District;
  - m. intimidating, bullying, demeaning, or otherwise treating other individuals in an unprofessional manner;
  - n. outside of protecting oneself or someone else from an immediate threat of harm, engaging in improper physical contact, using corporal punishment, using unnecessary force, or restraining a student or other individual in an unlawful manner;
  - o. failing to develop effective working relationships or maintaining good rapport with parents, community members, and/or colleagues;
  - p. refusing to comply with reasonable directives from supervisors or engaging in insubordination;
  - q. neglecting job duties, including unexcused absences, excessive tardiness, and abuse of leave policies;

## Article IX.A.4.c: Corrective Action, Progressive Discipline, and Orderly Termination

# Performance

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## E. Corrective Action for Unsatisfactory Performance

1. Employees may be disciplined, suspended, nonrenewed, or terminated on the grounds of unsatisfactory performance. Unsatisfactory performance is evaluated through multiple measures and lines of evidence.
2. Before the District seeks to nonrenew a career employee at the end of a school year or terminate a career employee's contract during the contract term for reasons of unsatisfactory performance, it shall take the following steps:
  - a. provide and discuss documentation of multiple measures and lines of evidence identifying the employee's deficiencies in performance and allowing the employee an opportunity to respond, reflect on deficiencies, and improve performance;
  - b. provide written notice the employee's contract is subject to nonrenewal or termination if the employee's performance does not improve and is determined to be unsatisfactory upon reevaluation;
  - c. develop and implement a formal plan of assistance to allow the employee an opportunity to improve performance and correct deficiencies;
  - d. reevaluate the employee's performance;
  - e. if the employee's performance remains unsatisfactory, refer to an assistant superintendent for appropriate discipline up to and including nonrenewal or termination; and
  - f. issue a notice of intent of nonrenewal or termination.
3. Corrective action based on unsatisfactory performance shall be issued in accordance with the District's progressive discipline process and orderly termination procedures and consistent with an executed professional agreement. If an employee can improve performance with reflection, coaching, directives, and/or low-level remediation, a plan of assistance and further corrective action shall be unnecessary.
4. Career employees shall be given reasonable time to complete specific goals in plans of assistance. A plan of assistance may span across two consecutive school years but shall not exceed 120 school days unless the employee is on approved leave. Plans of assistance shall end when a determination is made that the employee has either successfully remediated the deficiency in performance or when the notice of intent not to renew or terminate the employee is delivered.
5. If an employee is reevaluated and the performance has been successfully remediated, the District may elect to nonrenew or terminate the employee if the employee's performance is subsequently determined to be unsatisfactory for the same performance deficiencies within a three-year period from the initial documentation of unsatisfactory performance. Before doing so, the District shall provide written documentation of the employee's subsequent deficiencies in performance and give notice of intent to nonrenew or terminate the employee.

## Article IX.A.4.c: Corrective Action, Progressive Discipline, and Orderly Termination

# Sequence of Progressive Discipline

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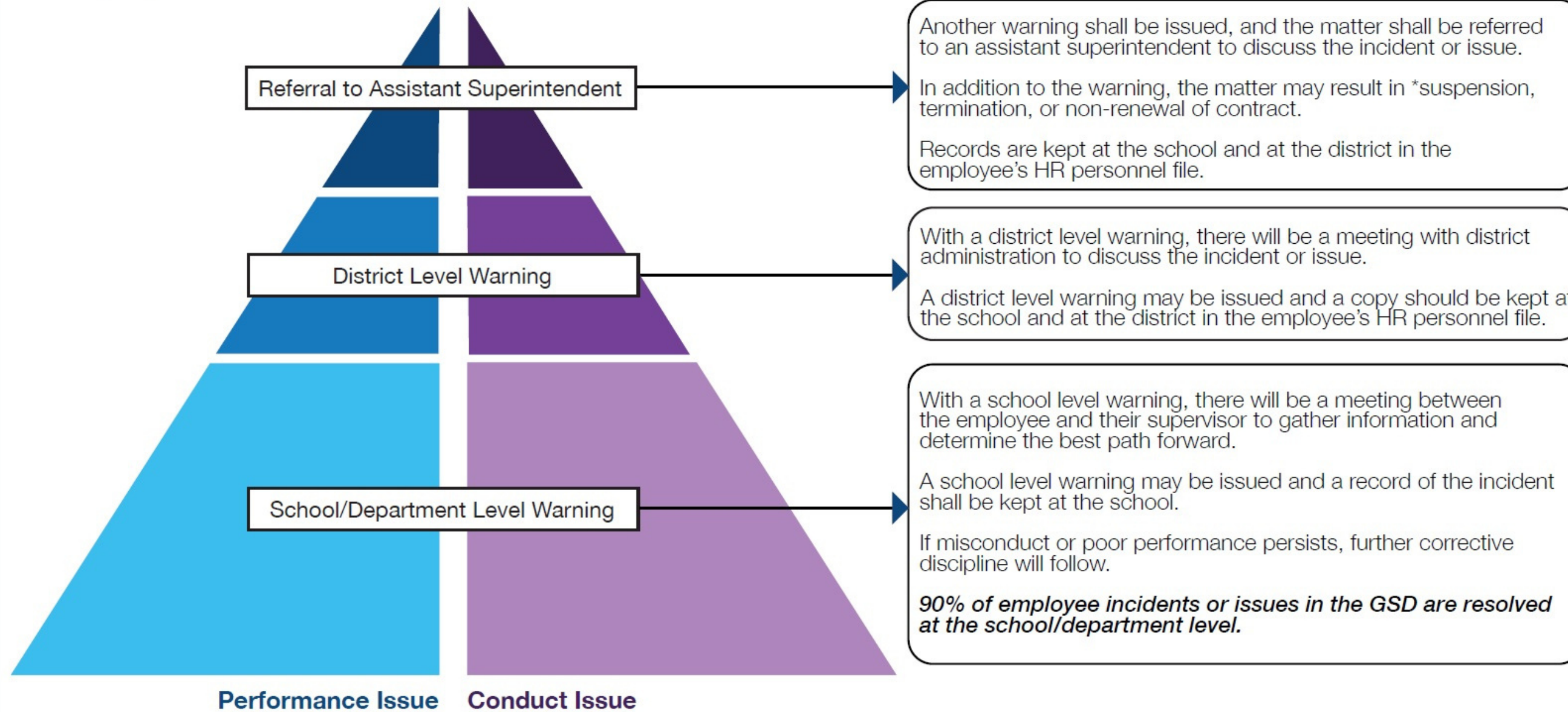
1. School Level Warning - filed at the school
2. Written Warning - filed at District level
  - for performance - Plan of Assistance implemented
3. Warning with Referral to Assistant Superintendent for Suspension - filed at District level
4. Warning with Referral to Assistant Superintendent for Termination - filed at District level

\*Allegations of sexual or criminal misconduct are investigated by the Policy and Legal Services Department and/or the Granite Police.



# Corrective Action & Progressive Discipline

Employee Reference Sheet



Questions? Contact Policy & Legal Services at 385.646.4009

\*Egregious or repeated actions may lead directly to suspension or termination



# Corrective Process For Each Level of Discipline

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- A. Principal documents - date, time, place, facts, and if applicable, collects witness statements
- B. Principal will share awareness of incident/issue with employee
- C. Principal will meet with the employee and request a written explanation (formerly known as a Request for Information - RFI)
- D. Principal reads and considers the written explanation
- E. Principal confers with the School Leadership and Improvement Director (SLID)



# Corrective Process For Each Level of Discipline

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F. Principal determines course of action - investigate further, drop issue, correct informally, move to Corrective Action

G. The principal attends ASK - Administrative Support (K)Committee. This step does not apply to School Level Warnings.

H. Principal sets disciplinary meeting - must give at least 24-hour notice, must state that the meeting is disciplinary and employee has the right to representation

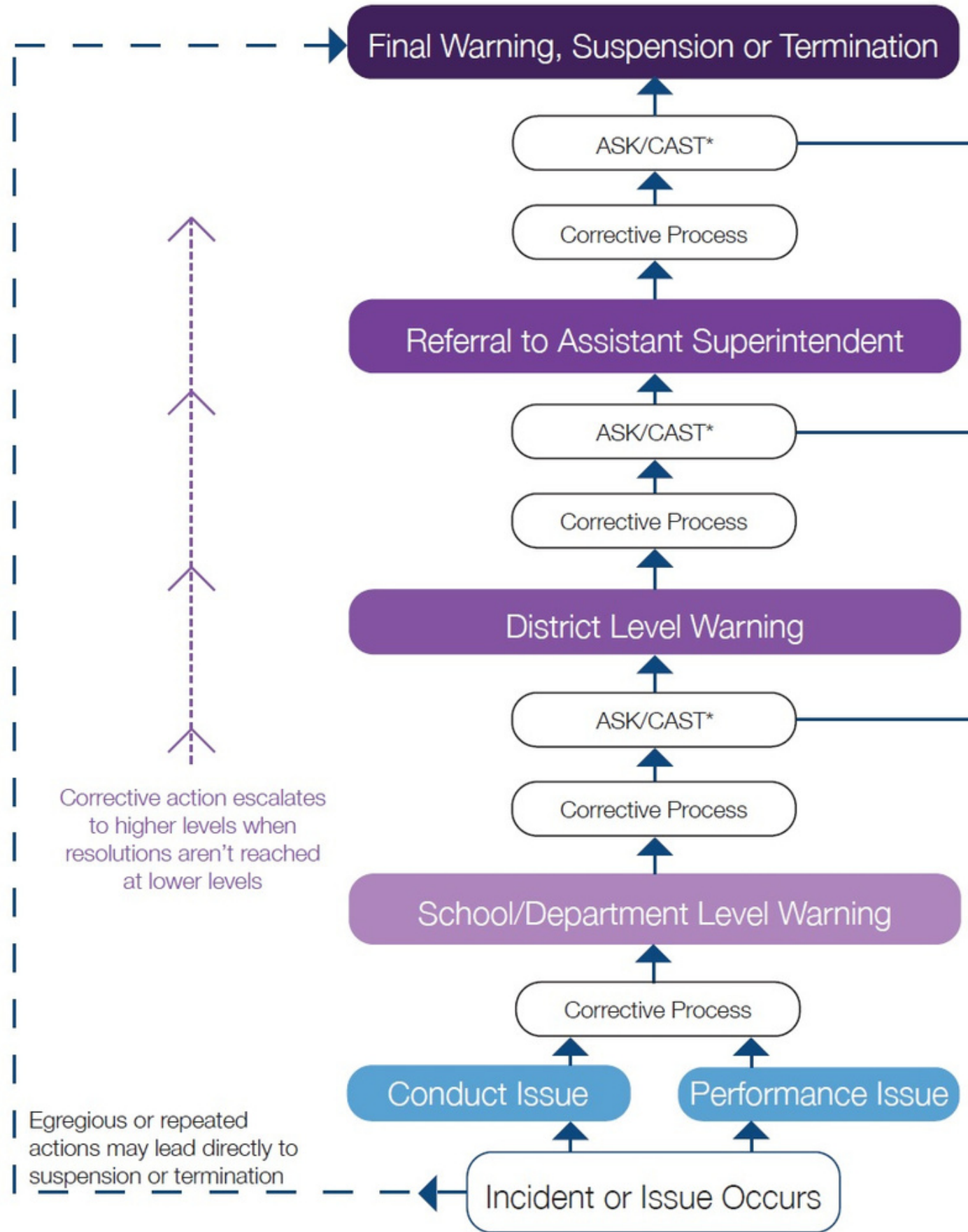
# Corrective Process For Each Level of Discipline

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- I. Principal prepares a discipline letter
- J. Principal conducts disciplinary meeting - provides copy of letter and reads aloud, employee signs letter indicating receipt
- K. Principal copies signed letter for employee and files original in the appropriate file

# Corrective Action & Progressive Discipline

Administrator Reference Sheet



- ### Potential Actions:
- Further investigation deemed necessary
  - Insufficient evidence to proceed
  - Informal correction including directives
  - Written warning filed at school and/or at District in HR Personnel File (depending on warning level)
  - For performance issues, a Plan of Assistance may be implemented
  - Suspension
  - Non-renewal of contract for provisional employees
  - Termination

- ### Corrective Process:
- Principal and/or District Administrator:
1. Will gather documentation and evidence of incident/issue
  2. Will share awareness of incident/issue with employee
  3. Will meet with employee and request a written explanation
  4. May organize an \*ASK/CAST meeting
  5. Will determine course of action.

Corrective action escalates to higher levels when resolutions aren't reached at lower levels

Egregious or repeated actions may lead directly to suspension or termination

Questions? Contact Policy & Legal Services at 385.646.4009

\*ASK or CAST is a formal meeting between an employee and principal/administration to discuss the incident/issue.



# Employee Rights

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- Employees have the right to know what is expected of them and what the consequences of not fulfilling those expectations will be
- The employee has the right to consistent and predictable employer responses to violations of rules
- The employee has a right to fair discipline based on facts