

HUMAN RESOURCES

Disciplinary Action and Discharge

The superintendent or designee may take disciplinary action against an employee in accordance with any applicable contract or bargaining agreement or state law. The superintendent may determine probable cause for discharge of certificated employees. The superintendent or designee may recommend to the board termination of a classified employee.

Grounds for Disciplinary Action or Discharge

Staff who fail to fulfill their job responsibilities or follow the reasonable directions of their administrators, who conduct themselves on or off the job in ways that negatively impact their effectiveness on the job, or engage in certain other negative behavior and conduct, may be subject to disciplinary action or discharge. Such behavior, conduct, or action may include, but is not limited to:

- A. Incompetence;
- B. Inefficiency;
- C. Misappropriation or misuse of district property;
- D. Neglect of duty;
- E. Insubordination;
- F. Conviction/guilty plea of any crime which adversely affects the employee's ability to perform a job including any felony crime involving;
 - 1. The physical neglect of a child;
 - 2. The physical injury or death of a child;
 - 3. Sexual exploitation of a child;
 - 4. Sexual offenses;
 - 5. Promotion of a minor for prostitution purposes; or
 - 6. The sale or purchase of a minor child.
- Employees are required to report in writing to the superintendent or designee any conviction or guilty plea of the above referenced crimes (and of any other crimes that are workplace related) within five (5) days of conviction or guilty plea.
- G. Malfeasance;
- H. Misconduct;
- I. Inability to perform job functions;
- J. Willful violation of district policies and procedures, laws, or regulations;
- K. Mistreatment, abuse or assault of fellow workers, students, or members of the public;

- L. Conflict of interest;
- M. Abuse of leave;
- N. Unlawful harassment, verbal abuse, physical abuse or sexual misconduct toward staff, students, or members of the public;
- O. Manufacture, possession, distribution, sale or being under the influence of alcohol, controlled, illegal, addictive or harmful substances including anabolic steroids;
- P. Intemperance;
- Q. Intentional discrimination or harassment;
- R. Vulgar speech or actions;
- S. Use of habit-forming drugs without pharmaceutical prescription by a doctor of medicine licensed to practice in the state of Washington;
- T. Use of alcoholic beverages on district premises or at a district-sponsored activity off the district premises;
- U. Use of district supplies and equipment for personal betterment or financial gain or other improper purposes;
- V. Falsification or omission of material information from district records or any report or statement required of or submitted by the employee. This includes, but is not limited to, providing false information to the district (i.e., timesheets, application materials, during formal investigations);
- W. Engage in the obstruction of justice, which includes witness intimidation, retaliation, destruction of evidence, or engaging in conduct to compromise an investigation or inquiry of misconduct; or
- X. Engage in any other conduct that lacks educational value/legitimate professional purpose and harms students.

In the event that allegations or charges are made against a staff member for misconduct with minors, the superintendent or designee may contact the Child Protective Services central registry for evidence regarding whether the staff member is 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/guardians, 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.

The district, or an individual acting on behalf of the district, shall not provide a recommendation of employment for a current or former employee, contractor, or agent that the district or individual acting on behalf of district knows or has probable cause to believe has engaged in sexual misconduct with a student or minor in violation of the law. District/school employees, contractors, and agents are also prohibited from providing a recommendation of employment to a current or former employee, contractor, or agent that the employees, contractors, or agents know or has probable cause to believe engaged in sexual misconduct with a student or minor in violation of the law. This does not prohibit the routine transmission of administrative or personnel files but does prohibit doing more than that to help the current or former employee obtain new employment.

Cross references:	Board Policy 2124 Board Policy 2125 Board Policy 3143 Board Policy 4205 Board Policy 5150 Board Policy 5250	Digital Citizenship and Media Literacy Web-based Resources and Other Online Educational Services District Notification and Dissemination of Information about Student Offenses and Notification of Threats of Violence or Harm Use of Tobacco, Nicotine Products and Delivery Devices Drug-Free Workplace Evaluation of Staff
Legal references:	RCW 28A.400.300 RCW 28A.400.320 RCW 28A.400.340 RCW 28A.405.300 RCW 28A.405.310 RCW 28A.405.470	Hiring and discharging of employees— Written leave policies—Seniority and leave benefits of employees transferring between school districts and other educational employers Crimes against children—Mandatory termination of classified employees— Appeal—Recovery of salary or compensation by district Notice of discharge to contain notice of right to appeal if available Adverse change in contract status of certificated employee—Determination of probable cause—Notice—Opportunity for hearing Adverse change in contract status of certificated employee, including non-renewal of contract—Hearings—Procedure Crimes against children—Mandatory termination of certificated employees— Appeal—Recovery of salary or compensation by district

[RCW 28A.410.090](#)

[RCW 49.44.200](#)

[Chapter 181-86 WAC](#)

[Chapter 181-87 WAC](#)

[20 U.S.C. §7926](#)

Revocation or suspension of certificate or permit to teach—Reprimand—Criminal basis—Complaints—Investigation—Process
Personal social networking accounts—
Restrictions on employer access—
Definitions
Professional certification—Policies and procedures for administration of certification proceedings
Professional certification—Acts of unprofessional conduct
Prohibition on aiding and abetting sexual abuse

Adopted: March 18, 1991
Revised: November 21, 1994
Updated: May 2001
Revised: May 27, 2003
Updated: February 2012
Updated: February 2018
Updated: May 2018
Revised: May 21, 2019
Updated: December 2019
Updated: February 2020
Updated: October 2020
Updated: August 2022