

## Personnel

### Disciplinary Action and Discharge

Staff who fail 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 affect their effectiveness on the job may be subject to disciplinary action or discharge.

Behavior, conduct or action that may warrant disciplinary action or discharge includes, 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 misdemeanor or felony crime (RCW 28A.400.322) involving:
  - 1. The physical neglect of a child;
  - 2. The physical injury 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 any conviction or guilty plea of the above reference crimes (an of any other crimes that are workplace related) within five days of conviction or guilty plea]
- G. Malfeasance;
- H. Misconduct;
- I. Inability to perform job functions;
- J. Willful violation of district policies, procedures, laws or regulations;
- K. Inappropriate online activities;
- L. Mistreatment, abuse, or assault of fellow workers, students, or members of the public;
- M. Conflict of interest;
- N. Abuse of leave;
- O. Harassment, verbal abuse, physical abuse or sexual misconduct toward staff, students, or members of the public.
- P. Manufacture, possession, distribution, sale or being under the influence of controlled, illegal, addictive or harmful substances including anabolic steroids;
- Q. Conduct (whether on the job or off the job) that has a negative impact on performance;
- R. Mental or physical inability to perform the essential duties of the employees' job with any reasonable accommodations necessary related to a disability that the employee may have;
- S. Intemperance;

- T. Intentional discrimination or harassment;
- U. Vulgar speech or actions;
- V. Use of habit-forming drugs without pharmaceutical prescription by a healthcare professional licensed to practice in the state of Washington;
- W. Use of alcoholic beverages, marijuana (cannabis), or illegal controlled substances on district premises or at a district-sponsored activity off the school premises;
- X. Use of district supplies and equipment for personal betterment or financial gain or other improper purposes;
- Y. 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);
- Z. 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
- AA. Engage in any other conduct that lacks education value or legitimate professional purpose that harms students.

Employees are required to report in writing to the Superintendent or designee any conviction or guilty plea of the crimes referenced in letter (f) above and/or any other crimes that are workplace related within five days of conviction or guilty plea.

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 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, will not provide a recommendation of employment for a current or former employee, contractor, or agent that the district or individual acting on behalf of the district knows or has probable cause to believe has 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.

### **Suspension of Staff**

The Superintendent or designee is authorized to suspend a staff member immediately as deemed appropriate.

Cross References:	Board Policy 5006 Board Policy 5240 Board Policy 5280	Certification Revocation Evaluation of Staff Separation from Employment
Legal References:	RCW 28A.400.300  RCW28A.400.320  RCW28A.400.340  RCW 28A.405.300  RCW28A.405.310  RCW28A.405.470  RCW 28A.410.090  RCW 49.44.200  Chapter 181-86 RCW  Chapter 181-87 WAC	Hiring and discharge of employees—Written Leave policies—Seniority and leave benefits of employees transferring between school district and other educational employers  Crimes against children - Mandatory termination of classified employees – Appeal – Recovery of salary or compensation by the 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 hearings  Adverse change in contract status of certificated employee, including non-renewal of contract—Hearings—Procedure  Crimes against children - Mandatory termination of certified employees – Appeal – Recovery of salary or compensation by district  Revocation or suspension of certificate or permit to teach – Criminal basis – Complaints – Investigation – Process  Personal social networking accounts – Restrictions on employer access - Definitions  Policies and procedures for administration of certification proceedings  Professional Certification Acts of unprofessional conduct

Classification: Discretionary

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