

425 Discipline & Dismissal of Employees

I. Purpose

The purpose of this policy is to provide a disciplinary process for the North Shore Community School (NSCS) Director and Supervisors. This policy is not used by the North Shore Community School Board of Directors and does not apply to the Director.

II. General Statement of Policy

The NSCS Director or Supervisor will review all pertinent facts and information when disciplining employees. An employee has the right to have a third party present during any step of the discipline, improvement, or termination process. If an employee requests a third party present during any step of these processes, the meeting time must occur by the end of the employee's next scheduled work day or an alternate date on which the employee and Director/Supervisor mutually agree.

III. Discipline

A. Employee misconduct will result in the imposition of discipline. Conduct which falls into this category includes, but is not limited to:

1. unprofessional conduct;
2. neglect of duties;
3. failure to observe rules, regulations, policies and standards of the school district and/or directives and orders from supervisors and any other act of an insubordinate nature;
4. use of illegal drugs or any other substance on the job or any use off the job which affects an employee's performance;
5. activities of a criminal nature.
6. falsification of credentials and experience;
7. destruction of school property;
8. acts constituting inappropriate conduct;
9. violation of the rights of others as provided by federal and state laws related to human rights as determined by the NSCS Board.

B. Forms of discipline

The forms of discipline that may be imposed by the Director or Supervisor, include, but are not limited to:

1. oral warning with written documentation;
2. written warning or reprimand;
3. probation/improvement plan;
4. suspension with or without pay.

C. Employee Improvement Plan

NSCS administrator(s) will give written notice of deficiency to the employee after evaluation and/or performance review. The administrator(s) and employee will develop a written improvement plan outlining the following:

1. corrections to be made;
2. process for improvement;
3. criteria for successful improvement; and
4. a schedule of future evaluations.

The employee will have 30 school days to make corrections and then a meeting will be held with the employee to assess progress. The administrator(s) may implement the plan for an additional period of time up to 60 school days for continued progress if needed. Any modification to the timing of corrections, assessment and written notice of termination will be proposed by the administrator(s) and approved by the NSCS Board in advance. If adequate progress as determined by the administrator(s) or authorized designee is not made following the correction period, written notice of pending termination will be given to the employee, and the administrator(s) will make a recommendation to the NSCS Board to terminate employment. Employee may make written appeal to the NSCS Board within 10 days to dispute termination. An employee may be accompanied by a representative during the appeal process.

D. Except as otherwise provided in MN statute 122A.4, the NSCS Board may discharge an employee, effective immediately, upon any of the following grounds:

1. unethical conduct, insubordination, or conviction of a felony;
2. conduct unbecoming an NSCS employee which requires the immediate removal of the employee from classroom or other duties;
3. willful neglect of duty.

Should any of the above violations occur, the Director would make a recommendation of termination to the NSCS Board. The NSCS Board must notify the employee in writing and state its grounds for the proposed discharge in reasonable detail. Within ten days after receiving this notification, the employee may make a written request for an audience with the NSCS Board and it shall be granted before final action is taken. The NSCS Board may, however, suspend an employee without pay pending the conclusion of such hearing.

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