

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 significantly affect their effectiveness on the job or otherwise act in such a way that the law determines to be sufficient cause will be subject to discipline. Behavior, conduct, or action which may result in disciplinary action or discharge may include, but is not limited to:

Insubordination, gross incompetence, immorality, sexual misconduct, conviction of a felony, nonprofessional conduct, mental or physical inability to perform the duties for which employed, illegal discrimination, vulgar speech or actions, use of habit-forming drugs, which affect work performance, consumption of alcohol or other substances which affect work performance, use of alcoholic beverages on school premises or at a school-sponsored activity off the school premises, and use of district supplies and equipment for personal benefit or financial gain.

Discipline will be reasonably appropriate to the circumstances up to and including suspension or discharge.

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 whether the staff member is an adjudicated or admitted perpetrator of child abuse or neglect. Discharge or other adverse action affecting the contract status of certificated staff will be instituted by the superintendent in the manner prescribed by law.

When allegations are made against an employee of sexual abuse, verbal abuse or physical abuse the district will make a determination whether the abuse or misconduct occurred.

If the district determines that sufficient information exists to conclude that the abuse or misconduct occurred and that the abuse or misconduct resulted in the employee's leaving his or her position at the district, the district must forward known information about the employee sexual misconduct to prospective school district employers.

The district will not enter into any contract to suppress information about verbal or physical abuse or sexual misconduct by a present or former employee. Neither will the district expunge such information from the employee's file.

In cases where the allegations involve violations of the state professional code of conduct for certificated staff, the superintendent will file a report with the Office of Professional Practice in the State Superintendent's office.

Upon the request of the suspended staff member, the board will meet with the suspended staff member to determine if discharge action will be taken. If a request is not received, the board acts upon the recommendation of the superintendent.

Cross References: Board Policy 5006

Certification Revocation

Legal References: RCW 28A.400.300

Hiring and discharge of employees —
Written leave policies — Seniority
and leave benefits of employees
transferring between school districts
and other educational employers

28A.400.340	Notice of discharge to contain notice of right to appeal if available
28A.405.300	Adverse change in contract status of certificated employee — Determination of probable cause — Notice — Opportunity for hearings
28A.405.310	Adverse change in contract status of certificated employee, including non-renewal of contract — Hearings — Procedure
28A.410.090	Revocation or suspension of certificate or permit to teach — Criminal basis — Complaints — Investigation — Process
28A.400.320	Crimes against children — Mandatory termination of employees — Appeal — Recovery of salary or compensation by district
28A.405.470	Crimes against children — Mandatory termination of certificated employees — Appeal — Recovery of salary or compensation by district
28A.400.340	Notice of discharge to contain notice of right to appeal if available
WAC 180-44-060	Drugs and alcohol — Use of as cause for dismissal
Chapter 181-86 RCW	Policies and procedures for administration of certification proceedings
181-87	Acts of Unprofessional Conduct

Management Resources:

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Sexual Misconduct Definitions