



**DISCIPLINE, SUSPENSION AND DISMISSAL
OF SCHOOL DISTRICT EMPLOYEES**

POLICY:	403
ADOPTED:	04/16/01
REVISED:	12/12/22

I. Purpose

The purpose of this policy is to achieve the effective operation of the school district's programs through the cooperation of all employees under a system of policies and rules applied fairly and uniformly.

II. General Statement of Policy

The disciplinary process described herein is designed to utilize progressive steps, where appropriate, to produce positive corrective action. While the school district intends that in most cases progressive discipline will be administered, the specific form of discipline chosen in a particular case and/or the decision to impose discipline in a manner, otherwise, is solely within the discretion of the school district.

III. Discipline

A. Violation of School Laws and Rules.

The form of discipline imposed for violations of school laws and rules may vary from an oral reprimand to termination of employment or discharge. Some factors used to determine the form of discipline imposed may include, but are not limited to, the nature of the violation, whether the violation was intentional, knowing and/or willful and whether the employee has been the subject of prior disciplinary action of the same or a different nature. School laws and rules to which this provision applies include, but are not limited to:

1. policies and rules of the school district;
2. directives and/or job requirements imposed by administration and/or the employee's supervisor; and
3. federal, state and local laws, rules and regulations, including, but not limited to, the rules and regulations adopted by federal and state agencies.

B. Substandard Performance.

An employee's substandard performance may result in the imposition of discipline ranging from an oral reprimand to termination of employment or discharge. In most instances, discipline imposed for the reason of substandard performance will follow a progressive format and will be accompanied by guidance, help and encouragement to improve from the employee's supervisor and reasonable time for correction of the employee's deficiency.

C. Misconduct.

Misconduct of an employee will result in the imposition of discipline consistent with the seriousness of the misconduct. Conduct which falls into this category includes, but is not limited to:

1. unprofessional conduct;
2. failure to observe rules, regulations, policies and standards of the school district and/or directives and orders of supervisors and any other act of an insubordinate nature;
3. continuing neglect of duties in spite of oral warnings, written warnings and/or other forms of discipline;
4. personal and/or immoral misconduct;
5. inappropriate use of technology;
6. possession or use of illegal drugs, alcohol or any other chemical substance on the job, being under the influence while on the job, or any use off the job which impacts on the employee's job performance;
7. deliberate and serious violation of the rights and freedoms of other employees, students, parents or other persons in the school community;
8. activities of a criminal nature relating to the fitness or effectiveness of the employee to perform the duties of the position;
9. failure to follow the standards of professional and personal ethics;
10. falsification of credentials and experience;
11. unauthorized destruction of school district property;
12. other good and sufficient grounds relating to any other act constituting inappropriate conduct;
13. neglect of duty;
14. violation of the rights of others as provided by federal and state laws related to human rights.

IV. Forms of Discipline

- A. The forms of discipline that may be imposed by the school district include, but are not limited to verbal or written warning; oral reprimand; written reprimand; disciplinary suspension, demotion or leave of absence without pay; and dismissal/termination or discharge from employment.
- B. Other forms of discipline, including any combination of the forms described in paragraph A., above, may be imposed if, in the judgment of the administration, another form of discipline will better accomplish the school district's objective of stopping or correcting the offending conduct and improving the employee's performance.
- C. The school district retains the right to immediately discipline, terminate or discharge an employee as appropriate, subject to relevant governing law and collective bargaining agreements when applicable.

Legal References: Minn. Stat. 122A.40 (Employment; Contracts; Termination)
Minn. Stat. 122A.41 (Teacher Tenure Act; Cities of the First Class)
Minn. Stat. 122A.44 (Contracting with Teachers; Substitute Teachers)
Minn. Stat. 122A.58 (Coaches; Termination of Duties)

Minn. Stat. 123B.02, Subd. 14 (General Powers of Independent School District)

Minn. Stat. 123B.143 (Superintendent)

Minn. Stat. 123B.147 (Principals)

Minn. Stat. 197.46 et. seq. (Veterans Preference Act)

Cross References: None