



Oneida Special School District
Employee Disciplinary Procedures

I. PURPOSE

The purpose of this policy is to ensure effective implementation and operation of the Oneida Special School District's policies and programs through the cooperation of all employees under a system of policies, procedures, directives and rules applied in a fair and uniform manner. The policy applies to all employees of the District, including teachers and administrative personnel.

II. GENERAL STATEMENT OF POLICY

The following disciplinary processes are designed to produce positive corrective action when discipline is warranted. 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 statutes and associated rules and regulations, school policies and rules, codes of conduct and/or directives of the school district or its supervisory personnel (mandates).

The school district retains the discretion to fashion disciplinary actions that fit the facts of each matter that comes before it. The form of discipline imposed for violations of mandates may include, but shall not be limited to an oral reprimand, warning, probation, reassignment, or referral to the board of education for disciplinary action, depending upon factors such as: the nature of the violation, whether the violation was intentional, knowing and/or willful; whether the employee has been the subject of prior disciplinary action of the same or a different nature and any other factors relevant to the matter. The mandates to which this provision applies include:

1. Policies and rules of the school district;
2. Applicable rules and codes of professional conduct and behavior including but not limited to the Teacher Code of Ethics set forth in Tennessee Code Annotated 49-5-1001 et seq and the Code of Ethics of the Tennessee Education Association;
3. Directives, instructions and/or job requirements imposed by administration and/or the employee's supervisor; and
4. All applicable federal, state, and local laws, rules and regulations, including, but not limited to, the rules and regulations adopted by federal and state agencies.



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B. Substandard Performance

An employee's continued substandard performance following requests made to the employee for corrective action may result in the imposition of discipline. The school district retains the discretion to fashion disciplinary actions that fit the facts of each matter that comes before it. The form of discipline imposed may include, but shall not be limited to, an oral reprimand, warning, reassignment, probation, referral to the board of education for disciplinary action or other appropriate action. 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 from the employee's supervisor to improve and a 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 that 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 or unprofessional 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. Use of illegal drugs, alcohol, or any other chemical substance on the job or any use off the job which impacts the employee's performance;
6. Deliberate and serious violation of the rights and freedoms of other employees, students, parents, or other persons in the school community;
7. Activities of a criminal nature relating to the fitness or effectiveness of the employee to perform the duties of the position;
8. Falsification of credentials and experience;
9. Unauthorized use of, distribution of, theft or destruction of school district property;
10. Neglect of duty;
11. Violation of the rights of others as provided by federal and state laws related to human rights;
12. Any conduct which creates a hostile or negative educational environment.

IV. FORMS OF DISCIPLINE

A. Consistent with applicable statutes and policies of the school district the forms of discipline that may be imposed by the school district include, but are not limited to:

1. Oral warning (a written record will be kept);
2. Written warning or reprimand;
3. Probation;
4. Disciplinary suspension, demotion, or leave of absence with pay;



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5. Disciplinary suspension, demotion, or leave of absence without pay; and
6. Dismissal/termination or discharge from employment (with board approval)

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.

V. PROCEDURES FOR ADMINISTERING POLICY

A. In an instance where any form of discipline is imposed, the employee's supervisor will:

1. Advise the employee of any inadequacy, deficiency or conduct which is the cause of the discipline in writing.
2. Provide directives to the employee to correct the conduct or performance.
3. Forward copies of all writings to the Supervisor of Instructional Services for filing in the employee's personnel file.
4. Allow a reasonable period of time, when appropriate, for the employee to correct or remediate the performance or conduct.
5. Specify the expected level of performance or modification of conduct to be required from the employee.

B. The Oneida Special School District retains the right to immediately discipline, suspend, terminate, or discharge an employee as appropriate, subject to relevant governing law.

VI. APPEALS PROCESS

A. Appeals relating to suspensions or dismissals of teachers for incompetence, inefficiency, neglect of duty, unprofessional conduct and insubordination shall be available as provided in Oneida Special School District Policy numbers 5.200 and 5.201. All other appeals relating to disciplinary matters shall be conducted as set forth below in this Section VI.

B. If an employee wishes to appeal a disciplinary action taken by a building-level supervisor, he/she may make an appeal to the Supervisor of Instructional Services. The Supervisor will review the information available and if necessary, conduct a formal investigation. Once all information is gathered and reviewed, the supervisor will issue a written reply to the appeal.

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C. If an employee wishes to appeal a disciplinary action taken by a district-level supervisor, or an appeals decision by the Supervisor of Instructional Services, he/she may make an appeal to the OSSD Professional Review Committee, which will review the information available and if necessary, conduct a formal investigation. Once all information is gathered and reviewed, the committee will issue a written reply to the appeal. Decisions handed down by the committee are final.

VII. OSSD PROFESSIONAL REVIEW COMMITTEE

A. Except as provided in Oneida Special School District Policy numbers 5.200 and 5.201 with regard to suspensions and dismissals of teachers, the OSSD Professional Review Committee will be the final step of the appeals process in cases of staff disciplinary issues.

B. The committee will include: one teacher from each school, one building-level administrator, one member of the OSSD Board of Education, and the Director of Schools. Any member of the committee who may be involved in a case or have a conflict of interest, must recuse themselves from the proceedings.