

	PROCUREMENT	
FIS		4401

General considerations

The director will use due process and comply with relevant portions of the collective bargaining agreement when disciplining employees.

The Governing Board will also use due process and comply with relevant portions of the collective bargaining agreement when dismissing employees.

Discipline

Staff members will be disciplined according to the severity and frequency of the conduct at issue. Discipline may be in the form of verbal reprimand, written reprimand or suspension depending on the circumstances of each case.

1. “Verbal Reprimand”: The director will hold a conference with the employee. He/She will outline the nature of the problem and listen to any comments from the employee. The director will indicate that compliance with specified procedures or cessation of certain conduct is required and future consequences if directives are ignored.

2. “Written Reprimand”: The director will hold a conference with the employee. The employee may have a representative of his/her choice present. The director will outline the nature of the problem and listen to any comments from the employee. The director will indicate that compliance with specified procedures or cessation of certain conduct is required and future consequences if directives are ignored. A “letter of reprimand” shall be written and placed in the employee’s personnel file.

3. “Plan of Assistance”: Performance deficiencies may require a written plan of assistance to aid improvement. The plan of assistance will incorporate the following elements:

- a. A written description of the problem to be corrected;
- b. The method or methods which will be used to correct the problem;
- c. The length of time during which improvement or correction must occur; and,
- d. Frequency and type of supervision to be provided.

The director will hold a conference with the employee to discuss the plan. The employee may have a representative present. The director will explain the plan of assistance and

listen to any comments from the employee or his/her representative. The plan of assistance will be implemented as written, or modified and implemented as modified.

4. "Suspension": Employees may be suspended in order to maintain the health and/or safety of other employees and/or students. Employees may also be suspended pending investigation of complaints regarding their job performance or conduct. Suspension may be paid or unpaid as determined by the GOVERNING BOARD.

Dismissal

1. Probationary Teachers

a. Contracts of probationary teachers may be non-renewed for any reason or reasons deemed in good faith sufficient by the Governing Board. Written notice of intended nonrenewal and reason(s) for nonrenewal must be given to the teacher by March 15 or sooner, if so specified in a collective bargaining agreement. Written notice must be given prior to Board action on the non-renewal. The teacher may request a hearing before the Governing Board.

b. Probationary teachers may be dismissed at any time for any reason or reasons deemed in good faith sufficient by the Board. Written notice of intended dismissal and reason(s) for dismissal must be given to the teacher prior to Board action on the dismissal. The teacher may request a hearing before the Board.

c. The following procedures apply to hearings before the Board:

- (1) The employee shall receive notice of the time, date and place of the hearing;
- (2) The hearing shall be in executive session unless the employee has requested an open session;
- (3) The employee shall have an opportunity to be present and be represented by anyone of his/her choice;
- (4) The Board may be represented by anyone of its choice;
- (5) Both parties shall have the opportunity to make opening statements, to call witnesses and to cross-examine the other party's witnesses, to present documentary evidence and to make closing statements;
- (6) The Board shall provide a written statement of the reasons for the final action taken (nonrenewal of contract or dismissal); and
- (7) The Board may, at its option, designate an individual to preside over and conduct the actual hearing.

2. Contract Teachers

a. Contract teachers may be dismissed or their employment contract non-extended when their job performance or conduct falls within one or more of the following reasons: inefficiency, immorality, insubordination, neglect of duty including duties specified by written rules, physical or mental incapacity, conviction of a felony or of a crime involving

moral turpitude, inadequate performance, failure to comply with such reasonable requirements as the Board may prescribe to show normal improvement and evidence of professional training and growth, or any cause which constitutes grounds for the revocation of such contract teacher’s teaching license.

b. The director and employee shall meet to discuss the director’s proposed recommendation to the Board regarding dismissal or contract non-extension. The employee may be accompanied by anyone of his/her choice.

3. Other Staff

a. Other Staff may be dismissed or their employment contract non-extended when their job performance or conduct falls within one or more of the following reasons: inefficiency, immorality, insubordination, neglect of duty including duties specified by written rules, physical or mental incapacity, conviction of a felony or of a crime involving moral turpitude, inadequate performance, or failure to comply with such reasonable requirements as the Board may prescribe to show normal improvement and evidence of professional training and growth,

b. The director and employee shall meet to discuss the director’s proposed recommendation to the Board regarding dismissal or contract non-extension. The employee may be accompanied by anyone of his/her choice.

ADOPTED:	September 20, 2012
REPLACES:	September 6, 2007
AUTHORITY:	
SOURCE:	<i>Kawaikini Detailed Implementation Plan</i>
CROSS-REFS:	
DOCUMENTS:	<i>Employee Handbook</i>