



Book	Policy Manual
Section	READY for 10-10-2023
Title	Copy of STAFF DISCIPLINE
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4139 - STAFF DISCIPLINE

The Board retains the right and the responsibility to manage the work force. When the discipline of a staff member becomes necessary such action shall be consistent with the requirements of any applicable Board policy, and State and Federal law. The District Administrator may issue discipline, ~~except termination,~~ when ~~she/he deems~~ ~~deemed~~ appropriate. This policy does not cover decisions to terminate a staff member's employment or accepting a staff member's resignation (see Policy 4140 - Termination and Resignation). ~~however, student performance on examinations may not form the basis for staff discipline.~~

Investigation of Possible Criminal Activity

The District may be required to investigate potential wrongdoings on the part of its employees, and such wrongdoing in some cases may involve potential criminal conduct and/or co-occurring law enforcement investigations. Such investigations may still require that the employee truthfully answer questions relating to the activity and employees who refuse to answer such questions may be disciplined for failure to cooperate in the investigation. y and employees who refuse to answer such questions may be disciplined for failure to cooperate in the investigation. ~~Failure to cooperate in an investigation may result in discipline, up to and including termination of the employee. In cases where this possible wrongdoing may involve criminal activity, the District shall inform~~ The Garrity Warning informs the employee that the employee is required to respond to questions posed during the investigation and that answers to questions relating to the employee's conduct may be used by the District for determining appropriate discipline, but will not be provided to law enforcement officials in the course of their independent criminal investigation, unless otherwise required by law. ~~Employees must also be informed that refusal to answer questions may be considered in determining discipline.~~

Staff may be disciplined for violations of Board policy or for other failure to meet the expectations and obligations of their position. No staff member may be subject to arbitrary or capricious disciplinary action, or disciplinary action that is otherwise in violation of law.

The District Administrator may issue discipline to staff members when ~~s/he deems~~ ~~deemed~~ appropriate. The level of discipline may range from oral reprimands to suspension or termination and may lead to termination consistent with Policy 4140 - Termination and Resignation. The level of discipline shall be consistent with the seriousness of the offense as determined by the District Administrator.

[X] Management efforts engaged to improve an employee's job performance or address specific performance concerns, including letters of direction, performance improvement plans, mandatory training, etc., are not disciplinary in nature and are not subject to this policy or to Policy 4340 - Grievance Procedure.

All instances of staff discipline are subject to the employee grievance procedure, set forth in Policy 4340 - Grievance Procedure.

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Legal 66.0509(1m)(a), Wis. Stats.
Franklin v. City of Evanston, 384 F.3d 838 (7th Cir. 2004)
Garrity v. New Jersey, 385 U.S. 493 (1967)

Last Modified by Coleen Frisch on September 28, 2023