

Book	Policy Manual
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3139 - STAFF DISCIPLINE

The Board of Education retains the right and the responsibility to manage the workforce. 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 Superintendent or designee may issue discipline, ~~short of termination~~, when she/he deems appropriate, however, student performance on examinations may not form the basis for staff discipline. This policy does not cover decisions to terminate or nonrenew a staff member's employment (see Policy 3140).

Investigation of Possible Criminal Activity

The District may be required to investigate potential wrongdoings on the part of its employees. Such investigations may require that the employee answer questions relating to the activity. Employees may be required to answer such questions. 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 employee 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 failures 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 or public policy.

The Superintendent may issue discipline to staff members when she/he deems appropriate. The level of discipline may range from oral reprimands to suspension or recommendation for termination consistent with the process established for germination as set for in Policy 3140. The level of discipline shall be consistent with the seriousness of the offense as determined by the Superintendent.

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 3340 - Grievance Procedure.

All instances of staff discipline are subject to the employee grievance procedure, set forth in Policy 3340.

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

Last Modified by Jennifer Hagemann on April 9, 2019