

Administrative Guidelines:

Employee Code of Conduct



San Carlos Unified School District #20

VERSION CONTROL

CURRENT VERSION	2012.08.31
LAST USC, CFR AND ARS REVIEW	2012.08.01
LAST PROCEDURAL REVIEW	2012.08.01
LAST PROGRESSIVE DISCIPLINE REVIEW	2012.08.01
LAST INSTITUTION LEGAL REVIEW	2012.08.01

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ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



INTRODUCTION



August 31, 2012

Dear *San Carlos Unified School District* Employee:

As we reinvent ourselves as an achieving school district, *San Carlos Unified School District* strives to establish and then maintain high standards for ethical conduct and professional competency. The *San Carlos Unified School District Employee Code of Conduct* (ECOC) is one tool for supporting all staff in meeting these standards. As a school district, we acknowledge to our community, that it is our responsibility to maintain the highest ethical standards because they have placed upon us the responsibility of molding the character of ALL children.

Because staff conduct has the potential to either support or challenge the vision, mission, values, and core principles of the district, the ECOC was developed to provide all *San Carlos Unified School District* employees with a better understanding of:

- The district's expectations for ethical staff behavior
- Their responsibilities to our community for meeting these expectations;
- The types of incidents that demonstrate a failure to meet these expectations;
- The rationale for the district's approach to staff misconduct; and
- Their rights before, during and after any disciplinary action where applicable.

Where applicable, disciplinary action will be taken:

- In accordance with federal law, state statute, tribal code, and Board of Education policy;
- In a reasonable, fair and consistent manner; and
- Without regard to race, color, national origin, citizenship status, religion, sex, economic status, age, military status, ancestry or disability.

The ECOC is intended to support, rather than take the place of existing Governing Board policies, administrative procedures, employee discipline, and does not establish new policies or procedures in these areas. Further, the ECOC is not a substitute for good judgment, nor does it cover every possible conduct or disciplinary situation that may be encountered by a staff member or a supervisor during his or her career.

When in doubt about any specific action or behavior, please consult with your direct supervisor or Human Resources.

Sincerely,

Richard W. Wilde

Dr. Richard Wilde, Superintendent,
San Carlos Unified School District, San Carlos, Arizona

**ADMINISTRATIVE GUIDELINES:
EMPLOYEE CODE OF CONDUCT (SCUSD)
INTRODUCTION – CONTINUED**



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ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD) ECOC POLICY AUTHORIZATION



San Carlos Unified School District #20

Re: Expected Actions and Behaviors – Employee Code of Conduct

Each San Carlos Unified School District #20 employee shall:

1. Report to work fit for duty, prepared for duty and remain fit while on duty.
2. Carry out all assigned duties both diligently and as directed.
3. Comply with justifiable directives issued by duly recognized sources of authority.
4. Identify and control unsafe conditions and/or safety hazards and maintain safe and secure working and/or learning environments.
5. Demonstrate respect, fairness and dignity when interacting with students, staff, community members or others.
6. Comply with federal laws, state statutes and (Institution acronym) policies that prohibit conduct that could reasonably be construed as coercive, retaliating, harassing, intimidating, bullying, discriminating or threatening.
7. Communicate truthfully and honestly with regard to any matter of interest to the Institution name and ensure that all records, disclosures or other written communications are full, fair, accurate, timely and understandable.
8. Acquire, use, maintain and dispose of Institution assets in an ethical and responsible manner.
9. Maintain the confidentiality of information as required under federal laws, state statutes and (Institution acronym) policies.
10. Use established protocols to intervene against and/or report actions or behaviors that may represent one or more violations of federal law, state statute or (Institution acronym) policy.
11. Refrain from activities outside of the contract day that may reasonably interfere with his or her ability to effectively perform duties as assigned or the legitimate operational interests of the Institution.
12. Comply with all other federal laws, state statutes and (Institution acronym) policies as well as established operational routines or procedures.

Ratified this ____ day of _____, 2012.

Signed:

President, San Carlos Unified School District #20 Governing Board

**ADMINISTRATIVE GUIDELINES:
EMPLOYEE CODE OF CONDUCT (SCUSD)
ECOC POLICY AUTHORIZATION – CONTINUED**



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ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



STATEMENTS OF PURPOSE AND INTENT

The following administrative statements were developed to assist all staff in understanding the purpose and intent of the San Carlos Unified School District #20 (SCUSD) *Employee Code of Conduct* (ECOC).

PURPOSE OF THE EMPLOYEE CODE OF CONDUCT

The purpose of the ECOC is to ensure that each staff member is aware of his or her responsibility for supporting the mission, vision, beliefs, philosophy, principles and goals of the district:

- A. **Mission.** The mission of the district is to provide comprehensive, success-oriented learning activities for young people in our schools [SCUSD A]. These opportunities must be designed to develop the person's potential in the areas of academic ability and vocational awareness, cultural appreciation, physical well-being, social development and community contribution and to empower graduates with skills to be 21st century *N'nee* [SCUSD A].
- B. **Vision.** With parents/guardians and the tribe as partners, 80-85% of San Carlos Unified School District students will graduate having met all state assessment expectations within three to five years.
- C. **Beliefs.** We believe [SCUSD A]:
 - 1. **Governing Board:**
 - a. Students are the number one priority.
 - b. The Governing Board conveys the educational needs and desires of the community to the district and establishes policies accordingly.
 - c. The Governing Board maintains high expectations for the district and themselves in working toward excellence.
 - 2. **Superintendent:**
 - a. The superintendent is the leader, implementer, and facilitator of a successful school district.
 - b. The superintendent promotes and upholds the positive educational climate of the school district.
 - 3. **Principals:**
 - a. A principal is the instructional leader of the school.
 - b. A principal is the facilitator for a positive learning environment.
 - c. A principal actively seeks parent support and involvement.
 - d. A principal serves as a liaison between school and community.
 - e. A principal maintains high expectations for students and staff members.
 - 4. **Teachers:**
 - a. Teachers are the foundation of a strong educational system.
 - b. Teachers will maintain high expectations for themselves and their students.
 - c. Teachers should serve as positive role models for students.
 - d. Teachers will actively seek parent/guardian support and involvement.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



STATEMENTS OF PURPOSE AND INTENT-CONTINUED *PURPOSE OF THE EMPLOYEE CODE OF CONDUCT- CONTINUED*

5. **Students :**

- a. Every student will be educated academically and socially so as to be a productive citizen.
- b. All students will have equal educational opportunities to achieve their individual potential.
- c. We have educational opportunities and activities to offer every student.
- d. Each student is unique.
- e. Successful education depends on parental commitment to education.

D. Philosophy. The district was established by the state legislature, under the authority contained in the Arizona State Constitution and the San Carlos Apache tribe, for the sole purpose of providing an education to the students of the district [SCUSD AD]. While the establishment of the district also provides other services, such as caring for students during the school day, providing employment to the school staff, and providing facilities for the use of the community, all of these services are necessarily subordinate to the district's prime function of providing an education to students [SCUSD AD]. The Governing Board of the district is selected by the citizens of the community to ensure that this responsibility is accomplished [SCUSD AD]. However, the Governing Board recognizes that it cannot accomplish this objective unless all of the sectors of the school community also accept and perform their responsibilities [SCUSD AD]. The Governing Board considers the responsibilities of these elements of the school community to be as follows [SCUSD AD]:

1. **Community:** The resources necessary to provide education for students are made possible through funding, revenue sources and other supporting services. The Governing Board's goal is that all members of the community, both individually and through their governmental, civic, and social organizations, will continue to support the educational activities of the district.
2. **Parents/Guardians:** The Governing Board recognizes that the ultimate responsibility for the well-being of all children rest with their parents/guardians. All parents/guardians are expected to cooperate in the district's educational effort by ensuring maximum attendance of their children, by requiring that their children cooperate in the educational endeavor of the district, and by fostering an attitude in their children that recognizes the importance of education.
3. **Staff:** The Governing Board fulfills its responsibility for the education of students by employing first a competent superintendent, on whose recommendation it also employs a competent staff. As a condition of this employment, the Governing Board expects each staff member's best efforts to be exerted toward the accomplishment of the educational objectives of the district. Because education is imparted primarily by teachers, the Governing Board specifically places responsibility for maintaining and expanding educational ability on each teacher, to the end that each student may reach maximum potential and develop a sense of dignity and self-worth.
4. **Students:** Education is an opportunity provided to the children of the district by their community. The Governing Board expects that all students will learn to recognize the value of this opportunity, and will therefore work diligently to help ensure that their maximum potentials are realized. The Governing Board further expects that all students will recognize that their fellow students have the right to be educated, and will avoid any action that may interfere with their ability to exercise that right. The Governing Board believes that education should develop habits, attitudes, understanding, and skills necessary for a productive, satisfying life in our society [SCUSD AD]. Students should be taught to understand the duties and privileges of

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



STATEMENTS OF PURPOSE AND INTENT-CONTINUED *PURPOSE OF THE EMPLOYEE CODE OF CONDUCT- CONTINUED*

responsible citizenship as such duties and privileges relate to themselves as individuals and to the whole community. The vast changes brought about by increasing technology, population, and urbanization must also be taught. The input and support of the citizens of the community, and especially the professional staff, are solicited as the school community endeavors to develop the attitudes and abilities demanded in this age of rapid change. In consideration of the accomplishment of these responsibilities by each sector of the school community listed above, the Governing Board, with the concurrence of each individual board member, pledges its best efforts to ensure that the district is governed effectively and efficiently so that the goal of an appropriate and outstanding educational experience is available for all students of the district.

- E. **Principles.** We believe: 1). In human beings as the single most important element in all transactions; 2). In behaving with uncompromising honesty and integrity 3). In challenging people to experience their full potential so each individual contributes to educational excellence; 4). In reaching quality decisions through the involvement of people; 5). In establishing priorities that respond to the needs of our students, staff members, and community, and serve as the driving force behind all of our actions; and 6). In focusing on excellence in everything we do [SCUSD A].
- F. **Goals.** The Governing Board has established goals in the following operational areas: 1). School Board Governance and Operations [SCUSD BA]; 2). General School Administration [SCUSD CA]; 3). Fiscal Management [SCUSD DA]; 4). Support Services [SCUSD EA]; 5). Facilities Development [SCUSD FA]; 6). Personnel [SCUSD GA]; 7). Instructional Program [SCUSD IA]; 8). Students [SCUSD JA]; and 9). Community Relations [SCUSD KA].

Staff fulfill this responsibility when their actions and behaviors – both professionally and personally – reflect the following general standards for ethical conduct:

- A. **Legal expectations for conduct.** All employees are expected to comply with applicable federal law, Arizona Revised Statutes (ARS) statutes and local ordinances.
- B. **District expectations for conduct.** All employees are expected to comply with the *San Carlos Unified School District #20 Staff Ethics Policy* (SEP) [SCUSD GBEA], the *San Carlos Unified School District #20 Staff Conduct Policy* (SCP) [SCUSD GBEB, GBEB-R and GBEB-E] and all other policies, rules, procedures, and routines established by the district, the superintendent or his/her designee(s) or their respective administrators/supervisors.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



STATEMENTS OF PURPOSE AND INTENT-CONTINUED *INTENT OF THE EMPLOYEE CODE OF CONDUCT*

In accordance with this purpose, the intent of the ECOC is 1). To alert employees to the types of actions and behaviors that most commonly represent violations of the general standards for ethical conduct outlined above, and as such, grounds for employee discipline; and 2). To define a rational course of action for addressing potentially unethical employee conduct in a manner consistent with federal law, ARS and district policy.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



CONDUCT MANAGEMENT OVERVIEW

The following administrative guidelines and regulations were developed to ensure that issues involving staff ethics or conduct are managed in accordance with the purpose and intent of the ECOC [ARS §15-341 (F); SCUSD BDD, BG, BGC, BGC-R, BGD, BGE, BGE-R, BGE-E, BGF, CB, CH, CH-R, CHCA, CHCA-R and CHD]. The superintendent or his/her designee will assure that these guidelines and regulations are: 1). Reviewed at regular intervals; and 2). Provided to, or made accessible to, all employees on an annual basis.

RATIONALE FOR DISCIPLINARY ACTIONS

It is essential that prompt, corrective action is taken whenever conduct standards are not being met by an employee. In situations where employee action(s) or behavior(s) are found to represent one or more violations of the ECOC, informal or disciplinary action must be considered and should reflect the following district goals for the management of employee misconduct:

REASONABLENESS:	For the purpose of this ECOC, <i>reasonableness</i> is defined as the management of comparable incidents in a similar manner (i.e., “ <i>like penalties for like offenses in like circumstances</i> ”).
FAIRNESS:	For the purpose of this ECOC, <i>fairness</i> is defined as the full consideration of all relevant case facts before a specific action is selected or recommended to address any specific incident. Because no two ECOC violations are completely identical, the ECOC was designed to support the consideration of all aggravating and mitigating circumstances before action is initiated to ensure that the accused are treated in a just manner before, during and after informal or disciplinary action.
CONSISTENCY:	For the purpose of this ECOC, <i>consistency</i> is defined as the use of the same or substantially similar actions in situations involving the same or substantially similar incidents. As such, the ECOC was designed to ensure a high level of internal consistency in matters involving ECOC violations.

If necessary, informal or disciplinary action will be taken promptly and in compliance with federal law, state statute, tribal code and district policy to protect both the interests of the San Carlos Unified School District #20, the San Carlos Apache tribe, and, where applicable, the due process rights of the employee(s) involved. Disciplinary action will be taken equitably and without regard to race, color, religion, sex, age, national origin, military status, disability or economic status, and the private and confidential nature of each such action will be respected at all times [ARS §23-340 et seq. and §41-1461 et seq.; SCUSD AC, GBA, GBA-R, GBA-E, GBAC, GCF and GDF].

An overview of the employee discipline process is as follows (see [Appendix A](#)):

- A. **Establishing grounds.** The grounds for employee discipline must be determined. Where required, “Just Cause” must be established [SCUSD GCQF and GDQD].
- B. **Verifying grounds.** The grounds for employee discipline must be verified by an informal inquiry or a formal investigation conducted under presumption of innocence (see investigation documentation examples in [Appendix B](#) and [Appendix C](#)). If these grounds are substantiated, the specifics of a charge will be described in as much detail (e.g., the “who”, “what”, “where”, “when” and “how”) as possible supported by all relevant evidence (e.g., documentation that leave was disapproved in a case where an employee is later disciplined for unauthorized absence). Where

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



CONDUCT MANAGEMENT OVERVIEW-CONTINUED *RATIONALE FOR DISCIPLINARY ACTIONS-CONTINUED*

applicable, a connection may be made for the employee between the charge and the mission, vision, beliefs, philosophy, principles and goals of the district.

- C. **Determining a general course of action.** Only after an ECOC has been substantiated will one of the following two general courses of action be taken based on the specific employee misconduct involved and the presence or absence of the same or substantially similar events in the past (where applicable):
1. **Informal action** (i.e., Acknowledged oral warnings and written warnings); or
 2. **Formal action** (i.e., official reprimands, suspensions and dismissals).
- D. **Assessing the case facts.** Prior to initiating or recommending a specific type of discipline to accomplish either course of action, both the aggravating and the mitigating factors in the case must be considered. This process should be guided by a standard set of “Douglas Factors” to ensure that the selected or recommended consequence is an appropriate response to the specific incident(s) involved (see [Appendix D](#)):
1. The nature and seriousness of the offense and its relation to the employee’s duties, position, and responsibilities, including whether the offense was intentional or inadvertent, or was committed maliciously or for gain, or was frequently repeated.
 2. The employee’s job level and type of employment, including supervisory or fiduciary role, contacts with the public, and prominence of the position.
 3. The employee’s past record of informal or disciplinary action.
 4. The employee’s employment record, including length of service, performance on the job, ability to get along with fellow workers, and dependability.
 5. The effects of the offense upon the employee’s ability to perform at a satisfactory level and its effect upon the supervisor’s confidence in the employee’s ability to perform assigned duties.
 6. Consistency of the penalty with those imposed upon and on other employees for the same or similar offenses.
 7. Consistency of the penalty with any applicable district table of penalties.
 8. The notoriety of the offense or its impact upon the reputation of the district.
 9. The clarity with which the employee was previously notified of any rules violated in committing the offense, or was previously the subject of pre-action counseling where applicable.
 10. The potential for the employee’s rehabilitation.
 11. Mitigating circumstances surrounding the offense such as unusual job tension, personality problems, mental impairment, harassment, or bad faith, malice or provocation on the part of others involved in the matter.
 12. The adequacy and effectiveness of alternative sanctions to deter such conduct in the future by the employee or by others.

Depending on the specific circumstances, any of these factors can be either mitigating or aggravating, and all relevant factors in the case must be considered. As a general rule, aggravating factors support a more severe action, while mitigating factors support less severe action.

- E. **Selecting or recommending a specific action.** Each ECOC violation is classified into one of five “tracks” based on its severity relative to all other ECOC violations. Except for disqualifying offenses, incidents within the same classification are processed along the same track from a progressive employee discipline standpoint when applicable. A range of permitted actions is provided for each violation-interval pairing within the ECOC. In situations where progressive

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



CONDUCT MANAGEMENT OVERVIEW-CONTINUED *RATIONALE FOR DISCIPLINARY ACTIONS-CONTINUED*

action may result, the specific action taken or recommended should reflect whether case facts involved were predominantly aggravating, predominantly mitigating, or roughly equal based on the specific facts of the case.

- F. **Considering the need for progressive action.** It should be noted that a single occurrence of some actions and behaviors may be as grave as to warrant immediate formal action up to and including dismissal; however, repetitive misconduct of a lesser nature may require progressively more serious sanctions. In such cases of chronic employee conduct, progressive action should be taken when it is evident that either: 1). Non-disciplinary strategies, where used, did not result in a modification or suppression of the employee's action(s) or behavior(s); or 2). Previous actions failed to correct a chronic ECOC violation.
- G. **Documenting the action.** It is important that accurate documentation is maintained before, during, and after each action for both the interests of the San Carlos Unified School District #20 and the rights of the employee involved.

DELEGATION OF AUTHORITY

While the superintendent and the Governing Board are ultimately responsible for all actions within San Carlos Unified School District #20, the following lines of authority are designated for each specific type of action:

- A. Authority to issue **acknowledged oral warnings** and **written warnings** (informal discipline) is delegated by the superintendent to those administrators and supervisors directly responsible for planning, directing, evaluating and/or supervising the work of others.
- B. Authority to issue **official reprimands** is delegated by the superintendent to his/her designees (district-level supervisors and building level principals) with oversight by the superintendent or his/her designee (the Director of Human Resources) prior to issuance.
- C. Authority to execute **suspensions** will remain with the superintendent or his/her designee.
- D. Authority to execute **dismissals** will remain with the superintendent and the Governing Board where and when applicable.

ROLES & RESPONSIBILITIES

Each administrator or supervisor should be aware of all guidelines and regulations regarding informal or disciplinary actions, including those involving actions outside of his/her scope of authority to execute. Cases involving less serious violations of the ECOC will typically be managed by the employee's direct administrator or supervisor; however, cases involving more serious violations of the ECOC must be managed by, or referred to, the superintendent or his/her designee. Responsibilities related either directly or indirectly to employee misconduct within the district include, but are not limited to, the following [ARS §15-101 et seq., §15-201 et seq., §15-301 et seq., §15-401 et seq., §15-501 et seq., §15-701 et seq., §15-801 et seq., §15-901 et seq., §15-1101 et seq., §15-2001 et seq. and §15-2301; SCUSD A et seq., BA et seq., CA et seq., DA et seq., EA et seq., FA et seq., GA et seq., HD, IA et seq., JA et seq., KA et seq. and LB et seq.]:

- A. **The Governing Board is responsible for:**
 - 1. Adopting conduct-related and performance-related Governing Board policies and charging administrative employees with implementing them.
 - 2. Maintaining fairness and equity in the application of policies.
 - 3. Ensuring that all decisions are reviewed and decided objectively.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



CONDUCT MANAGEMENT OVERVIEW-CONTINUED RESPONSIBILITIES FOR EMPLOYEE DISCIPLINE - CONTINUED

B. The superintendent is responsible for:

1. Making regulations and other conditions of employment known to all employees.
2. Assisting supervisory and operating officials in determining the appropriate informal or disciplinary action to be taken in specific cases.
3. Ensuring that informal or disciplinary actions are administered fairly, impartially and uniformly.
4. Ensuring that informal or disciplinary actions are taken in accordance with applicable federal law, state statute and district policy.
5. Conducting technical reviews of all proposals for suspension and dismissal.
6. Making final decisions in cases involving suspensions or dismissals, or referring such cases to the Governing Board for action when required under state statute or district policy.
7. Participating in review or appeal proceedings as necessary.

C. The superintendent's designee(s) are responsible for:

1. Communicating regulations and other conditions of employment to subordinates.
2. Serving as the superintendent's designee when assigned to ensure that informal or disciplinary actions are administered fairly, impartially, and uniformly.
3. Ensuring that informal or disciplinary actions are taken in accordance with applicable federal law, state statute, tribal code and district policy.
4. Ensuring that all incidents of misconduct are sufficiently investigated to determine grounds for action.
5. Guiding building or site level administrators/supervisors in the completion and interpretation of rubrics to determine appropriate informal or disciplinary actions.
6. Holding building or site level administrators/supervisors accountable for following progressive action guidelines.
7. Making final decisions in cases involving official reprimands, or referring such cases to the superintendent where applicable.
8. Referring cases involving potential suspensions or dismissals to the superintendent when required under state statute or district policy.
9. Participating in review or appeal proceedings as necessary.
10. Maintaining data regarding informal or disciplinary actions.

D. Building or site level administrators/supervisors who report organizationally to the superintendent or his/her designee(s) are responsible for:

1. Communicating regulations and other conditions of employment to subordinates.
2. Engaging employees in pre-action counseling whenever reasonable and appropriate and correcting inappropriate or unacceptable actions or behaviors constructively, individually and in private.
3. Gathering, analyzing, and carefully considering all facts and circumstances before taking or recommending informal or disciplinary actions.
4. Guiding supervisors and evaluating officials in the completion and interpretation of rubrics to determine appropriate informal or disciplinary actions.
5. Ensuring that informal or disciplinary actions are administered fairly, impartially, and uniformly.
6. Ensuring that informal or disciplinary actions are taken in accordance with applicable federal law, state statute, tribal code and district policy.
7. Holding building/site level administrators/supervisors who report organizationally to them accountable for following the progressive action guidelines.
8. Referring recommendations for formal discipline up the chain of command when required under state statute or district policy.
9. Participating in review or appeal proceedings as necessary.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



CONDUCT MANAGEMENT OVERVIEW-CONTINUED *RESPONSIBILITIES FOR EMPLOYEE DISCIPLINE - CONTINUED*

10. Maintaining data regarding informal or disciplinary actions.

E. All other building or site level administrators/supervisors are responsible for:

1. Communicating regulations and other conditions of employment to subordinates.
2. Engaging employees in pre-action counseling whenever reasonable and appropriate and correcting inappropriate or unacceptable actions or behaviors constructively, individually and in private.
3. Gathering, analyzing, and carefully considering all facts and circumstances before taking or recommending informal or disciplinary actions.
4. Ensuring that disciplinary actions are administered fairly, impartially, and uniformly.
5. Referring recommendations for formal discipline up the chain of command when required under state statute or district policy.
6. Participating in review or appeal proceedings as necessary.
7. Maintaining data regarding disciplinary actions.

F. All employees are responsible for:

1. Reading, understanding, abiding by, and asking questions about the ECOC.
2. Discharging their assigned professional duties ethically, conscientiously, competently and professionally.
3. Maintaining their personal lives in a manner that avoids potential off-duty ECOC conflicts.

**ADMINISTRATIVE GUIDELINES:
EMPLOYEE CODE OF CONDUCT (SCUSD)**



**CONDUCT MANAGEMENT OVERVIEW-CONTINUED
*RESPONSIBILITIES FOR EMPLOYEE DISCIPLINE – CONTINUED***

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ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS

The ECOC is not intended by the district to cover every possible type of employee misconduct, and staff must not conclude that informal or disciplinary action cannot arise out of actions or behaviors not specifically mentioned herein. Many of the incidents that constitute ECOC violations combine several forms of related misconduct into one overarching category, thereby making their meanings representative, rather than absolute, in nature.

POTENTIAL VIOLATIONS OF POLICY ALONE

The following actions and/or behaviors represent grounds for employee discipline within the San Carlos Unified School District #20 based on violations of policy and/or regulation alone:

ATTENDANCE, PUNCTUALITY, OR CONTRACT DAY POLICY VIOLATION

Definition: *Attendance, Punctuality, or Contract Day Policy Violation* is defined as any lack of compliance with an established policy, routine, schedule, procedure or contract provision relating to an employee's time on duty.

Examples: Examples include, but are not limited to, the following: Logging excessive absences without approval; abusing sick or other leave; arriving late or leaving an assigned duty station early without prior authorization; being absent without leave; or failing to follow proper absence notification procedures.

Related alignments include, but may not be limited to, the following:

Federal alignment(s): *Fair Labor Standards Act of 1938, As Amended [FLSA; 29 USC §201 et seq.]; Family Medical Leave Act of 1993 [FMLA; 29 USC §2601 and 29 CFR §825]; Uniformed Services Employment and Re-employment Rights Act of 2005 [USERRA; 38 USC §4301 et seq.]*

State alignment(s): ARS §1-301 et seq.; §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-504; §15-510; §15-511; §15-539; §15-540; §15-801 et seq.; §15-854 et seq.; §15-861; §15-881; §16-402

Institution policy alignment(s): SCUSD A; BBA; EG; GBEA; GBEB; GBEB-R; GBI; GCC; GCCA; GCCA-E; GCCB; GCCC; GCCC-EA; GCCC-EB; GCCC-EC; GCCC-ED; GCCC-EE; GCCD; GCCD-E; GCCE; GCCF; GCCG; GCCG-RA; GCCG-RB; GCCH; GCD; GCL; GCMC; GCQF; GDC; GDCG; GDCG-R; GDD; GDK; GDL; GDLB; GDQD; IC; ID; IMA; IMA-R

Initial case management responsibility: BUILDING OR SITE LEVEL SUPERVISOR

Mandatory reporting requirement: NO

Classification: MINOR

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF POLICY ALONE – CONTINUED

ATTENDANCE, PUNCTUALITY, OR CONTRACT POLICY VIOLATION - CONTINUED

Disciplinary options:

Options for Action: Attendance, Punctuality or Contract Policy Violation				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Acknowledged oral warning	Written warning	Official reprimand	Suspension
Relatively Equal	Written warning	Official reprimand	Suspension	Dismissal
Mostly Aggravating	Official reprimand	Suspension	Dismissal	Dismissal

Commentary:

1. These grounds exclude time approved in accordance with federal law, state statute, tribal code or district policy.
2. *Tardiness* is defined as reporting to work after the required start time regardless of employee classification.
3. Personal leave is intended to be used for personal reasons. Subject to the following conditions, it can be taken at the discretion of a teacher, who shall not be required to give reason(s) for the use of any personal leave. The approval of the superintendent or his/her designee shall be required under the following conditions: 1). If more than 10 (ten) percent of the teachers in any given school request its use on the same day, provided, that on making this calculation, any major fraction shall be considered as 1 (one) and in schools of 5 (five) teachers or less, one teacher may take personal leave at his or her discretion; 2). If personal leave is requested during any prior established student examination period; 3). If personal leave is requested on the day immediately preceding or following a holiday or vacation period; 4). If personal leave is requested for days scheduled for professional development or in-service training, according to a school calendar adopted by the Governing Board prior to the commencement of the school year; or 5). If personal leave is requested for days scheduled for parent-teacher conferences, according to a school calendar adopted by the Governing Board prior to the commencement of the school year.
4. Except in an emergency, a teacher shall give advance notice of at least 1 (one) day of intent to take personal leave.
5. Approval of personal leave is required by the superintendent or his/her designee during the first week or last two weeks of school.
6. For absences in excess of days earned for the current school year, the employee must provide a written statement concerning reason(s) for absence.
7. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED

BREACH OF CHAIN OF COMMAND PROTOCOL

Definition: *Breach of Chain of Command Protocol* is defined as the unauthorized or improper conveyance of an issue or concern to a district authority above the level of an employee's immediate supervisor.

Examples: Examples of include, but are not limited to, the following: Bringing a problem to a district level supervisor or Governing Board member that could have been directly addressed at the building or site level or encouraging others to do so; failing to follow established grievance channels; or requesting that a higher level supervisor overrule an operational decision by a lower level supervisor that was within his or her scope of authority to make.

Related alignments include, but may not be limited to, the following:

<u>Federal alignment(s):</u>	29 USC §660
<u>State alignment(s):</u>	ARS §15-110; §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-539; §15-540; §38-431 et seq.; §38-532
<u>Institution policy alignment(s):</u>	SCUSD A; BBA; BBAA; BHC; BHD; CCB; CCB-R; GBEA; GBEB; GBEB-R; GBK; GBK-R; GBK-EA; GBK-EB; GBK-EC; GBK-ED; GBK-EE; GBP; GCQF; GDQD; KD; KDB; KDD; KDDA; KE; KE-R; KE-E; KEB; KEB-R; KEB-E
<u>Initial case management responsibility:</u>	BUILDING OR SITE LEVEL SUPERVISOR
<u>Mandatory reporting requirement:</u>	NO

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED*

BREACH OF CHAIN OF COMMAND PROTOCOL - CONTINUED

Classification:

MODERATE

Disciplinary options:

Options for Action: Breach of Chain of Command Protocol				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Written warning	Official reprimand	Suspension	Dismissal
Relatively Equal	Official reprimand	Suspension	Dismissal	Dismissal
Mostly Aggravating	Suspension	Dismissal	Dismissal	Dismissal

Commentary:

1. As a general rule, an issue or concern must be shared first with the employee's immediate supervisor.
2. In a situation in which there may be justification to breach protocol with an immediate supervisor, the issue or concern must be brought to the attention of the next level supervisor in writing along with the reason for the breach.
3. If the issue or concern involves a potential civil rights or criminal violation, authorization is granted to breach protocol and go directly to the superintendent or his/her designee.
4. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED

DISHONESTY (NON-CRIMINAL)

Definition: *Dishonesty (Non-criminal)* is defined as any lack of truthfulness or deception that is a matter of interest to the district only.

Examples: Examples include, but are not limited to the following: Engaging in an act of commission (e.g., the misrepresentation of facts, such as the reporting of an uncompleted task as completed); or engaging in an act of omission (e.g., the failure to relate all pertinent details to a supervisor, such as giving an incomplete account of an event or incident).

Related alignments include, but may not be limited to, the following:

Federal alignment(s): NONE

State alignment(s): ARS §15-103; §15-107; §15-189; §15-213; §15-239; §15-271; §15-272; §15-304; §15-323; §15-341 (A)(1); §15-341 (A)(14); §15-341 (A)(17); §15-341 (A)(19); §15-341 (A)(20); §15-341 (A)(21); §15-341 (A)(22); §15-342 (5); §15-354; §15-539; §15-540; §15-901 et seq.; §15-918 et seq.; §15-921 et seq.; §15-941 et seq.; §15-961 et seq.; §15-971 et seq.; §15-991 et seq.; §15-1021 et seq.; §15-1041 et seq.; §15-1101 et seq.; §15-1121 et seq.; §15-1141 et seq.; §15-1151 et seq.; §15-1171 et seq.; §15-1181 et seq.; §15-1201 et seq.; §15-1221 et seq.; §15-1231; §15-1241; §15-1251; §15-1261; §38-621 et seq.; §41-1279.04 et seq.

Institution policy alignment(s): SCUSD A; BBA; BCB; BCB-E; CM; DB; DBC; DBC-R; DBF; DBI; DBJ; DDA; DEC; DFB; DFD; DFF; DG; DGA; DGD; DGD-R; DGD-E; DH; DI; DIA; DIB; DIC; DID; DID-R; DIE; DIE-R; DJ; DJB; DJE; DJE-R; DJE-E; DK; DK-E; DKC; DKC-E; DM; DN; EF-E; GBEA; GBEAA; GBEAA-E; GBEB; GBEB-R; GBEB-C; GCQF; GDQD; ILB; JJE; JJF; JP; KCD; KCD-R; KHA

Initial case management responsibility: INSTITUTION LEVEL ADMINISTRATOR

Mandatory reporting requirement: NO

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED*

DISHONESTY (NON-CRIMINAL) - CONTINUED

Classification:

MODERATE

Disciplinary options:

Options for Action: Dishonesty (Non-criminal)				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Written warning	Official reprimand	Suspension	Dismissal
Relatively Equal	Official reprimand	Suspension	Dismissal	Dismissal
Mostly Aggravating	Suspension	Dismissal	Dismissal	Dismissal

Commentary:

1. Some acts may represent violations of criminal law or civil statute and are addressed elsewhere in the ECOC.
2. Although no criminal consequences are associated with the act, any person found to have not followed security guidelines for administration of the achievement test adopted by the Arizona State Board of Education, including making or distributing unauthorized copies of the test, altering a grade or answer sheet, providing copies of answers or test questions or otherwise compromising the integrity of the testing process shall be placed on immediate suspension, and such actions will be grounds for dismissal. Such actions may also result in revocation of the employee's state license [SCUSD ILB].
3. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED

DRESS CODE VIOLATION

Definition: *Dress Code Violation* is defined as any deviation from the expectations for employee attire or hygiene outlined in the district's *Employee Dress Policy* (EDP) during the school/work day, during an assigned duty or during a school/district-sponsored event/activity unless otherwise stated.

Examples: Examples include, but are not limited to, the following: Reporting to a school in clothing that is ill-fitting or overly revealing (e.g., items that are too loose or too tight or items that are low cut, short or otherwise suggestive); arriving at a job site in clothing inappropriate for the work environment (e.g., items that are soiled, unmaintained, torn, frayed or unpressed or items that do not provide adequate protection); or attending a work-related activity in clothing that can reasonably be expected to disrupt operations (e.g., items that display abusive, vulgar or offensive language, items that display offensive symbols, items that advertise alcohol or tobacco products, or items that promote drug use or other illegal activity).

Related alignments include, but may not be limited to, the following:

Federal alignment(s): *Occupational Safety & Health Act of 1970* [OSHA; 29 USC §15 et seq.]; 29 CFR §1910 et seq.

State alignment(s): ARS §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-539; §15-540

Institution policy alignment(s): SCUSD A; BBA; GBEA; GBEB; GBEB-R; GCQF; GDQD; JICA; JICA-R

Initial case management responsibility: BUILDING OR SITE LEVEL SUPERVISOR

Mandatory reporting requirement: NO

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED

DRESS CODE VIOLATION - CONTINUED

Classification:

MINOR

Disciplinary options:

Options for Action: Dress Code Violation				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Acknowledged oral warning	Written warning	Official reprimand	Suspension
Relatively Equal	Written warning	Official reprimand	Suspension	Dismissal
Mostly Aggravating	Official reprimand	Suspension	Dismissal	Dismissal

Commentary:

1. Professional dress at work and at district-sponsored events not only balances between comfort, professionalism, safety and functionality, but also prevents possible distractions and/or disruptions in the work environment.
2. Some roles may require job-specific dress that is appropriate for the duties typically encountered during the work day (e.g., district-issued or approved uniforms).
3. The district expects that visible tattoos and body piercings will remain covered at all times.
4. For additional information and examples, consult the *San Carlos Unified School District #20 Employee Dress Policy* (EDP) [SCUSD GBEB and GBEB-R], your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED

FALSIFICATION OF OR FAILURE TO ACCURATELY PROVIDE INFORMATION (NON-CRIMINAL)

Definition: *Falsification of or Failure to Accurately Provide Information (Non-criminal)* is defined as any written act of dishonesty that is a matter of interest to the district only.

Examples: Examples include, but are not limited to, the following: Misrepresenting one's professional qualifications; falsifying documentation related to the completion of in-service or continuing education credit hours; making a non-disqualifying false statement on an application for employment; writing a recommendation for employment, promotion, admission or scholarship known to contain incorrect information; including false information in the written performance evaluation of a staff member; knowingly assigning an improper grade to a student; filing an inaccurate report; or failing to account for the receipt, deposit or disbursement of funds in a manner required by policy.

Related alignments include, but may not be limited to, the following:

Federal alignment(s): NONE

State alignment(s): ARS §15-103; §15-107; §15-189; §15-213; §15-239; §15-271; §15-272; §15-304; §15-341 (A)(1); §15-341 (A)(14); §15-341 (A)(17); §15-341 (A)(18); §15-341 (A)(19); §15-341 (A)(20); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(41); §15-342 (5); §15-354; §15-521 (3); §15-539; §15-540; §15-756.10; §15-901 et seq.; §15-918 et seq.; §15-921 et seq.; §15-941 et seq.; §15-961 et seq.; §15-971 et seq.; §15-991 et seq.; §15-1021 et seq.; §15-1041 et seq.; §15-1101 et seq.; §15-1121 et seq.; §15-1141 et seq.; §15-1151 et seq.; §15-1171 et seq.; §15-1181 et seq.; §15-1201 et seq.; §15-1221 et seq.; §15-1231; §15-1241; §15-1251; §15-1261; §38-621 et seq.; §41-1279.04 et seq.

Institution policy alignment(s): SCUSD A; BBA; BCB; BCB-E; CM; DB; DBC; DBC-R; DBF; DBI; DBJ; DDA; DEC; DFB; DFD; DFF; DG; DGA; DGD; DGD-R; DGD-E; DH; DI; DIA; DIB; DIC; DID; DID-R; DIE; DIE-R; DK; DK-E; DKC; DKC-E; DM; DN; EHB; EHB-R; GBEA; GBEB; GBEB-R; GCQF; GDQD; IKA; IKA-R; ILB; JE; JE-R; JJE; JJF; JR; JR-R; JHR-EA; JR-EB; JR-EC; JR-ED; JR-EE; JR-EF; JR-EG

Initial case management responsibility: INSTITUTION LEVEL ADMINISTRATOR

Mandatory reporting requirement: NO

Classification: MODERATE

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED*

FALSIFICATION OR FAILURE TO ACCURATELY PROVIDE INFORMATION (NON-CRIMINAL) – CONTINUED

Disciplinary options:

Options for Action: Falsification of or Failure to Accurately Provide Information (Non-criminal)				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Written warning	Official reprimand	Suspension	Dismissal
Relatively Equal	Official reprimand	Suspension	Dismissal	Dismissal
Mostly Aggravating	Suspension	Dismissal	Dismissal	Dismissal

Commentary:

1. Some acts may represent violations of criminal law or civil statute and are addressed elsewhere in the ECOC.
2. Although no criminal consequences are associated with the act, any person found to have not followed security guidelines for administration of the achievement test adopted by the Arizona State Board of Education, including making or distributing unauthorized copies of the test, altering a grade or answer sheet, providing copies of answers or test questions or otherwise compromising the integrity of the testing process shall be placed on immediate suspension, and such actions will be grounds for dismissal. Such actions may also result in revocation of the employee's state license [SCUSD ILB].
3. See also *Education Department General Administrative Regulations* (EDGAR 34 CFR §74-86 and 97-99).
4. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED

INADEQUATE PREPARATION FOR EMPLOYEE JOB RESPONSIBILITIES

Definition: *Inadequate Preparation for Employee Job Responsibilities* is defined as substandard and/or inconsistent use of required skills or resources to fulfill one or more established job responsibilities.

Examples: Examples include, but are not limited to the following: Failing to prepare for the optimal execution of job responsibilities as assigned; remaining unwilling/unable to plan for the optimization of allotted time; failing to plan for and provide adequate direction during an absence; or remaining unwilling/unable to use equipment or resources appropriately.

Related alignments include, but may not be limited to, the following:

Federal alignment(s): 20 USC §703

State alignment(s): ARS §15-102; §15-103; §15-107; §15-203 (A)(38); §15-241; §15-241.01; §15-249; §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(40); §15-341 (A)(42); §15-353; §15-502; §15-503; §15-536; §15-537; §15-537.01; §15-538; §15-539; §15-540; §15-701 et seq.; §15-741 et seq.; §15-751 et seq.; §15-761 et seq.; §15-779 et seq.; §15-781 et seq.; §15-795 et seq.; §15-808; §15-881; §15-918 et seq.; §28-3228

Institution policy alignment(s): SCUSD A; AD; BBA; CBA; CBI; CBI-E; EEAEA; GBEA; GBEB; GBEB-R; GBJ; GCA; GCF; GCH; GCI; GCJ; GCMF; GCO; GCO-RA; GCO-RB; GCO-EA; GCO-EB; GCQF; GDA; GDF; GDH; GDO; GDO-EA; GDO-EB; GDQD; IGA; IHA; IHA-E; IHAA; IHAA-R; IHB; IHB-R; IHB-E; IHBA; IHBA-RA; IHBA-RB; IHBA-E; IHBB; ILB; ILE; IMA; IMA-R; LF; LF-E

Initial case management responsibility: BUILDING OR SITE LEVEL SUPERVISOR

Mandatory reporting requirement: NO

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED*

INADEQUATE PREPARATION FOR EMPLOYEE JOB RESPONSIBILITIES - CONTINUED

Classification:

MINOR

Disciplinary options:

Options for Action: Inadequate Preparation for Employee Job Responsibilities				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Acknowledged oral warning	Written warning	Official reprimand	Suspension
Relatively Equal	Written warning	Official reprimand	Suspension	Dismissal
Mostly Aggravating	Official reprimand	Suspension	Dismissal	Dismissal

Commentary:

1. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED*

INADEQUATE SUPERVISION OF STAFF

Definition: *Inadequate Supervision of Staff* is defined as either the neglect of assigned staff supervisory responsibilities or the failure to provide proper monitoring, guidance, oversight or direction to subordinates during the school/work day, during an assigned duty or during a school/district-sponsored event/activity.

Examples: Examples include, but are not limited to the following: Failing to properly orient new employees to their work environments; failing to ensure that subordinates are provided sufficient opportunities to demonstrate the skills needed to perform their job duties as required; or neglecting performance evaluation responsibilities.

Related alignments include, but may not be limited to, the following:

<u>Federal alignment(s):</u>	NONE
<u>State alignment(s):</u>	ARS §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-353; §15-539; §15-540
<u>Institution policy alignment(s):</u>	SCUSD A; BBA; CCB; CCB-R; GBEA; GBEB; GBEB-R; GCQF; GDN; GDQD
<u>Initial case management responsibility:</u>	BUILDING OR SITE LEVEL SUPERVISOR
<u>Mandatory reporting requirement:</u>	NO

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED*

INAPPROPRIATE SUPERVISION OF STAFF - CONTINUED

Classification:

MINOR

Disciplinary options:

Options for Action: Inadequate Supervision of Staff				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Acknowledged oral warning	Written warning	Official reprimand	Suspension
Relatively Equal	Written warning	Official reprimand	Suspension	Dismissal
Mostly Aggravating	Official reprimand	Suspension	Dismissal	Dismissal

Commentary:

1. The district's quality monitoring efforts may involve the use of third party services offered through grants; as a result, supervisors are required to report performance concerns to both the superintendent and to the grant administrator.
2. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED

INADEQUATE SUPERVISION OF STUDENTS

Definition: *Inadequate Supervision of Students* is defined as either the neglect of assigned student supervisory responsibilities or the failure to provide proper monitoring, guidance, oversight or direction to students before, during or after the school/work day, an assigned duty or a school/district-sponsored event/activity.

Examples: Examples include, but are not limited to the following: Leaving students unsupervised during school related activities: (e.g., a field trip; before or after school or during recess; placing students in a hallway during instructional time without oversight; engaging in actions or behaviors on assigned duty which distract from supervision responsibilities; failing to monitor a register line during cafeteria duty); or neglecting to address or report inappropriate student behavior on a bus.

Related alignments include, but may not be limited to, the following:

Federal alignment(s): NONE

State alignment(s): ARS §15-151; §15-235; §15-341 (A)(1); §15-341 (A)(12); §15-341 (A)(16); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(24); §15-341 (A)(27); §15-341 (A)(35); §15-341 (A)(36); §15-341 (A)(37); §15-342 (12); §15-344; §15-344.01; §15-521 (2); §15-521 (3); §15-539; §15-540; §15-705; §15-761 et seq.; §15-779 et seq.; §15-781 et seq.; §15-802; §15-807; §15-881; §28-900

Institution policy alignment(s): SCUSD A; BBA; EEAE; EEAE-R; EEAE-EA; EEAE-EB; EEAE-EC; EEAE-C; GBEA; GBEB; GBEB-R; GBEBB; GBGB; GBGB-R; GCMF; GCQF; GDQD; IHB; IHB-R; IHB-E; IHBA; IHBA-RA; IHBA-RB; IHBA-E; IHBB; IHBHD; IHBHD-R; IIB; IIB-R; IJNA; IJOA; IJOA-R; JIBA; JIC; JICA; JICA-R; JICB; JICC; JICE; JICE-R; JICEC; JICEC-E; JICF; JICF-R; JICFA; JIDFA-R; JICFA-EB; JICFA-EB; JICG; JICH; JICH-R; JICH-E; JICK; JICK-R; JICK-EA; JICK-EB; JII; JII-R; JII-EA; JII-EB; JJA; JJAB; JJB; JJC; JJE; JJIB; JJIB-R; JK; JK-R; JK-EA; JK-EB; JK-EC; JKB; JKB-R; JLCD; JLCD-R; JLCD-E; JLI; JLIA; JLIB; JLIB-R

Initial case management responsibility: BUILDING OR SITE LEVEL SUPERVISOR

Mandatory reporting requirement: NO

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED*

INAPPROPRIATE SUPERVISION OF STUDENTS - CONTINUED

Classification:

MINOR

Disciplinary options:

Options for Action: Inadequate Supervision of Students				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Acknowledged oral warning	Written warning	Official reprimand	Suspension
Relatively Equal	Written warning	Official reprimand	Suspension	Dismissal
Mostly Aggravating	Official reprimand	Suspension	Dismissal	Dismissal

Commentary:

1. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED

INAPPROPRIATE, ABUSIVE, OR OFFENSIVE CONDUCT (NON-CRIMINAL)

Definition: *Inappropriate, Abusive, or Offensive Conduct (Non-criminal)* is defined as any act which interferes with the personal rights of employees, students or the legitimate interests of the district that is a matter of interest to the district only.

Examples: Examples include, but are not limited to, the following: Engaging in conduct directed toward supervisors, employees or students that is improper for the circumstances in which it occurs; engaging in discourteous, derisive or disruptive action(s) or behavior(s); engaging in conduct that runs counter to either a "reasonable person standard" or community values; engaging in an act of retaliation not prohibited by law; or failing to follow established operational procedures.

Related alignments include, but may not be limited to, the following:

Federal alignment(s): 20 USC §1232h (a)

State alignment(s): ARS §15-102; §15-103; §15-104; §15-107; §15-110; §15-112; §15-113; §15-115; §15-141; §15-142; §15-151; §15-152; §15-153; §15-153.01; §15-154; §15-156; §15-184; §15-189; §15-213; §15-231.03; §15-235; §15-239; §15-271; §15-272; §15-304; §15-341 (A)(1); §15-341 (A)(2); §15-341 (A)(3); §15-341 (A)(4); §15-341 (A)(5); §15-341 (A)(6); §15-341 (A)(12); §15-341 (A)(14); §15-341 (A)(15); §15-341 (A)(17); §15-341 (A)(18); §15-341 (A)(19); §15-341 (A)(20); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(24); §15-341 (A)(26); §15-341 (A)(27); §15-341 (A)(28); §15-341 (A)(29); §15-341 (A)(30); §15-341 (A)(32); §15-341 (A)(33); §15-341 (A)(34); §15-341 (A)(35); §15-341 (A)(36); §15-341 (A)(37); §15-341 (A)(41); §15-341 (A)(42); §15-341 (G); §15-341.01; §15-342 (1); §15-342 (2); §15-342 (3); §15-342 (4); §15-342 (5); §15-342 (11); §15-342 (12); §15-342 (18); §15-342 (19); §15-342 (20); §15-342 (21); §15-342 (22); §15-342 (24); §15-342 (27); §15-342 (28); §15-342.01; §15-344; §15-344.01; §15-346; §15-347; §15-349; §15-354; §15-361; §15-362; §15-363; §15-505; §15-506; §15-507; §15-511; §15-521 (1); §15-521 (2); §15-521 (3); §15-521 (4); §15-521 (5); §15-539; §15-540; §15-701 et seq.; §15-721 et seq.; §15-731; §15-732; §15-741 et seq.; §15-751 et seq.; §15-761 et seq.; §15-779 et seq.; §15-781 et seq.; §15-795 et seq.; §15-796 et seq.; §15-802.01; §15-803; §15-806; §15-807; §15-808; §15-816.01; §15-821 et seq.; §15-840 et seq.; §15-871 et seq.; §15-881; §15-891 et seq.; §15-901 et seq.; §15-918 et seq.; §15-921 et seq.; §15-941 et seq.; §15-961 et seq.; §15-971 et seq.; §15-991 et seq.; §15-1021 et seq.; §15-1041 et seq.; §15-1101 et seq.; §15-1121 et seq.; §15-1141 et seq.; §15-1151 et seq.; §15-1171 et seq.; §15-1181 et seq.; §15-1201 et seq.; §15-1221 et seq.; §15-1231; §15-1241; §15-1251; §15-1261; §15-2131; §15-2132; §15-2301, §23-401 et seq.; §23-476;

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED*

INAPPROPRIATE, ABUSIVE, OR OFFENSIVE CONDUCT (NON-CRIMINAL) - CONTINUED

Classification:

MODERATE

Disciplinary options:

Options for Action: Inappropriate, Abusive or Offensive Conduct (Non-criminal)				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Written warning	Official reprimand	Suspension	Dismissal
Relatively Equal	Official reprimand	Suspension	Dismissal	Dismissal
Mostly Aggravating	Suspension	Dismissal	Dismissal	Dismissal

Commentary:

1. Some acts may represent violations of civil or criminal law and are addressed elsewhere in the ECOC.
2. For additional information and examples, consult your direct supervisor or HR.

**ADMINISTRATIVE GUIDELINES:
EMPLOYEE CODE OF CONDUCT (SCUSD)**



**ECOC VIOLATIONS - CONTINUED
*POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED***

**INAPPROPRIATE, ABUSIVE, OR OFFENSIVE CONDUCT (NON-CRIMINAL) -
CONTINUED**

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ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED

INAPPROPRIATE USE OF TECHNOLOGY RESOURCES

Definition: *Inappropriate Use of Technology Resources* is defined as any deviation from the electronic information services (EIS) guidelines and procedures outlined in the *Acceptable Use Policy* (AUP) presented by the district to all employees that is a matter of interest to the district only.

Examples: Examples include, but are not limited to, the following: Using district technology resources excessively for personal reasons; providing authentication data to unauthorized parties (e.g., giving a student the password to a computer or program); accessing unauthorized online activities or sites (e.g., social networks where relationships are established or maintained, “friending” students whether on a district or a personal computer or communicating with students via computer access to the web at any time); accessing or displaying inappropriate materials, content or information; failing to monitor student use of technology or failing to limit student access to the internet and/or world wide web as required; compromising network security either intentionally or through neglect; failing to monitor the safety and security of minor students using electronic mail, chat rooms or other forms of direct electronic communications; or using personal mobile phones for non-emergency purposes during active duty; connecting personal equipment to hardware or networks owned by the district without prior approval from the district technology director; loading unapproved software on computers owned by the district; or transferring/permitting the transfer of district software to personal computers.

Related alignments include, but may not be limited to, the following:

Federal alignment(s): *Communications Act of 1934; Family Educational Rights and Privacy Act of 1974 [FERPA; 20 USC §1232g]; 20 USC §9134; Children’s Online Privacy Protection Act of 1998 [COPPA; 15 USC §6501 et seq.]; Children’s Internet Protection Act of 2000 [47 USC §254; FCC Order 03-188]*

State alignment(s): ARS §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-539; §15-540; §15-721 et seq.; §15-731; §15-732; §15-808; §34-501; §34-502

Institution policy alignment(s): SCUSD A; BBA; EGAEA; EGD; EHB; GBEA; GBEB; GBEB-R; GCQF; GDQD; IHBHD; IHBHD-R; IJ; IJ-R; IJJ; IJJ-R; IJL; IJL-R; IJND; IJND-R; IJNDB; IJNDB-R; IJNDB-E; JICK; JICK-R; JICK-EA; JICK-EB

Initial case management responsibility: BUILDING OR SITE LEVEL SUPERVISOR

Mandatory reporting requirement: NO

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED

INAPPROPRIATE USE OF TECHNOLOGY RESOURCES - CONTINUED

Classification:

MINOR

Disciplinary options:

Options for Action: Inappropriate Use of Technology Resources				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Acknowledged oral warning	Written warning	Official reprimand	Suspension
Relatively Equal	Written warning	Official reprimand	Suspension	Dismissal
Mostly Aggravating	Official reprimand	Suspension	Dismissal	Dismissal

Commentary:

1. Some acts may represent violations of criminal law or civil statute and are addressed elsewhere in the ECOC.
2. Although limited personal use of school/district technology resources is permitted, employees have no expectation of privacy when using workspaces, computers, phone systems, email or other communication vehicles that may be used to create, access, transmit or store information.
3. For additional information and examples, consult the *San Carlos Unified School District #20 Acceptable Use Policy (AUP)* [SCUSD IJNDB-E], your direct supervisor or HR.
4. Employees are prohibited from identifying themselves as members of the district at any time when using a social network site (e.g., Facebook® or Twitter®) without the prior written permission from the superintendent.
5. Initiating or developing relationships with students using tools and resources other than those provided by the district (e.g., Facebook® or Twitter®) may represent a violation of the *Children's Internet Protection Act of 2000* [47 USC §254; FCC Order 03-188].

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED*

INSUBORDINATION

Definition: *Insubordination* is defined as any refusal to comply with a legitimate directive issued by a recognized source of authority which the employee had both the knowledge of and the capacity to carry out.

Examples: Examples include, but are not limited to, the following: Refusing to complete a reasonably assigned task; acting in opposition to or in defiance of an established authority; failing or refusing to recognize or submit to an established authority to which the employee is subordinate; disobeying an established authority; defying an established authority; or being involved in a revolt against established authority.

Related alignments include, but may not be limited to, the following:

<u>Federal alignment(s):</u>	NONE
<u>State alignment(s):</u>	ARS §15-112; §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-521 (5); §15-539; §15-540
<u>Institution policy alignment(s):</u>	SCUSD A; BBA; GBEA; GBEB; GBEB-R; GCQF; GDQD; IGD
<u>Initial case management responsibility:</u>	BUILDING OR SITE LEVEL SUPERVISOR
<u>Mandatory reporting requirement:</u>	NO

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED*

INSUBORDINATION - CONTINUED

Classification:

MINOR

Disciplinary options:

Options for Action: Insubordination				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Acknowledged oral warning	Written warning	Official reprimand	Suspension
Relatively Equal	Written warning	Official reprimand	Suspension	Dismissal
Mostly Aggravating	Official reprimand	Suspension	Dismissal	Dismissal

Commentary:

1. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED

LACK OF TEAMWORK

Definition: *Lack of Teamwork* is defined as the refusal to work with or cooperate with designated or assigned team(s) or individuals in a professional manner.

Examples: Examples include, but are not limited to, the following: Refusing to share resources as appropriate with team members; failing to engage in planning activities with other team members to ensure equal access; refusing to cooperate with others to share instructional strategies; failing to communicate with others in advance of an absence; or refusing to offer assistance to substitutes as needed and/or requested.

Related alignments include, but may not be limited to, the following:

Federal alignment(s): NONE

State alignment(s): ARS §15-102 (1); §15-113; §15-191; §15-192; §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-351; §15-539; §15-540; §15-730

Institution policy alignment(s): SCUSD A; ABA; ABAA; AD; BBA; CCBA; CCBA-R; CE; CFD; CFD-R; CFD-E; GBB; GBEA; GBEB; GBEB-R; GCQF; GDQD; IGA; IHBD; IHBj; IHBj-R; IHBj-EA; IHBj-EB; IHCA; IJND; IJND-R; IKAB; IKACA; KB; KB-RA; KB-RB; KB-EB; KJA; KJG; KJGA; KJGAA

Initial case management responsibility: BUILDING OR SITE LEVEL SUPERVISOR

Mandatory reporting requirement: NO

Classification: MINOR

Disciplinary options:

Options for Action: Lack of Teamwork				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Acknowledged oral warning	Written warning	Official reprimand	Suspension
Relatively Equal	Written warning	Official reprimand	Suspension	Dismissal
Mostly Aggravating	Official reprimand	Suspension	Dismissal	Dismissal

**ADMINISTRATIVE GUIDELINES:
EMPLOYEE CODE OF CONDUCT (SCUSD)**



**ECOC VIOLATIONS - CONTINUED
*POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED***

LACK OF TEAMWORK - CONTINUED

Commentary:

1. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED

OFF-DUTY MISCONDUCT

Definition: *Off-Duty Misconduct* is defined as any action or behavior occurring either off district property or before or after the school/work day or district -sponsored events/activities that impacts the ability of an employee to perform his or her job duties, undermines the legitimate interests of the district or creates a disruption of district operations that is a matter of interest to the district only.

Examples: Examples include, but are not limited to the following: Accepting part-time employment that creates a conflict of interest for the employee; selling or publishing works containing the intellectual property of the district without prior written approval; engaging in outside activities that create undue notoriety for the district; speaking on behalf of the district without authorization; misrepresenting the district in person, in print, on websites; or posting information on social media(e.g., Facebook® or Twitter®) that disrupts the district, interferes with district goals or unduly harms the reputation of the district.

Related alignments include, but may not be limited to, the following:

Federal alignment(s): NONE

State alignment(s): ARS §15-341 (A)(1); §15-341 (A)(2); §15-341 (A)(21); §15-341 (A)(22); §15-511; §15-539; §15-540

Institution policy alignment(s): SCUSD A; BBA; GBEA; GBEB; GBEB-R; GBI; GCQF; GCR; GCR-R; GCRD; GCS; GDQD; GDR; GDR-R; KN; KHA; KHB; KHC; KHC-E

Initial case management responsibility: INSTITUTION LEVEL ADMINISTRATOR

Mandatory reporting requirement: NO

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED

OFF-DUTY MISCONDUCT - CONTINUED

Classification:

MODERATE

Disciplinary options:

Options for Action: Off-Duty Misconduct				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Written warning	Official reprimand	Suspension	Dismissal
Relatively Equal	Official reprimand	Suspension	Dismissal	Dismissal
Mostly Aggravating	Suspension	Dismissal	Dismissal	Dismissal

Commentary:

1. While the district does not wish to become involved in the personal lives of employees, disciplinary action may result when a “rational nexus” can be established between the incident and the alleged outcomes referenced in the definition for this ECOC violation.
2. Some acts may represent violations of criminal law or civil statute and are addressed elsewhere in the ECOC.
3. The district is the sole owner of all intellectual property created through the use of its resources or facilities developed within the scope of employment. For additional information and examples, consult the *San Carlos Unified School District #20 Intellectual Property Policy (IPP)* [SCUSD GCS].
4. Employees shall use good judgment in their relationships with students and staff beyond their work responsibilities and/or outside of the school setting and shall refrain from excessive informal and social involvement with individual students who are not part of the employee’s extended family unless the interaction is a required part of the employee’s job responsibilities. Any appearance of impropriety shall be avoided [SCUSD GBEBB].
5. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED

TOBACCO POLICY VIOLATION

Definition: *Tobacco Policy Violation* is defined as any act which violates a federal, state and/or district Tobacco Free Schools policy.

Examples: Examples include, but are not limited to the following: Using cigarettes, cigars, pipes, snuff, chewing tobacco or other tobacco products anywhere or at any time on district property; using tobacco products in district-owned vehicles; or using tobacco products in private vehicles on district property.

Related alignments include, but may not be limited to, the following:

Federal alignment(s): *Pro-Children Acts of 1994* [20 USC §6081; Public Law 103-227] and *2001* [20 USC §7181; Public Law 107-110]; 20 USC §7161; 20 USC §7184

State alignment(s): ARS §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(25); §15-342 (27); §15-346; §15-347; §15-539; §15-540; §15-712; §36-798.03

Institution policy alignment(s): SCUSD A; BBA; GBEA; GBEB; GBEB-R; GBED; GCQF; GDQD; IHAMA; JICG; KFAA

Initial case management responsibility: BUILDING OR SITE LEVEL SUPERVISOR

Mandatory reporting requirement: NO

Classification: MINOR

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED*

TOBACCO POLICY VIOLATION - CONTINUED

Disciplinary options:

Options for Action: Tobacco Policy Violation				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Acknowledged oral warning	Written warning	Official reprimand	Suspension
Relatively Equal	Written warning	Official reprimand	Suspension	Dismissal
Mostly Aggravating	Official reprimand	Suspension	Dismissal	Dismissal

Commentary:

1. Tobacco products are prohibited on school grounds, inside school buildings, in school parking lots or playing fields, in school buses or vehicles or at off-campus school sponsored events [ARS §36-798.03 (A); SCUSD GBED]. For the purposes of ARS §36-798.03, "school" means any public, charter or private school where children attend classes in kindergarten programs or grades one through twelve [ARS §36-798.03 (A); SCUSD GBED].
2. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED*

OTHER POLICY VIOLATION

Definition: *Other Policy Violation* is defined as any incident involving a failure to adhere to a policy, rule or procedure of the school/district not specified elsewhere in this section of the ECOC that is a matter of interest to the district only.

Examples: Examples include, but are not limited to, the following: Engaging in action(s) or behavior(s) that violate a policy or administrative procedure ratified by the Governing Board; or engaging in action(s) or behavior(s) that violate a regulatory directive of the superintendent or his/her designee of which the employee has been made duly aware.

Related alignments include, but may not be limited to, the following:

Federal alignment(s): Includes all federal level regulations not otherwise specified

State alignment(s): Includes ARS §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-539; §15-540 and all state level regulations not otherwise specified

Institution policy alignment(s): Includes SCUSD A, BBA, GBEA, GBEB, GBEB-R, GDQD and all district level regulations not otherwise specified

Initial case management responsibility: BUILDING OR SITE LEVEL SUPERVISOR

Mandatory reporting requirement: NO

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF POLICY ALONE - CONTINUED*

OTHER POLICY VIOLATION - CONTINUED

Classification:

MINOR

Disciplinary options:

Options for Action: Other Policy Violation				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Acknowledged oral warning	Written warning	Official reprimand	Suspension
Relatively Equal	Written warning	Official reprimand	Suspension	Dismissal
Mostly Aggravating	Official reprimand	Suspension	Dismissal	Dismissal

Commentary:

1. Some acts may represent violations of criminal law or civil statute and are addressed elsewhere in the ECOC.
2. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF CIVIL STATUTE

The following actions and/or behaviors represent grounds for employee discipline within San Carlos Unified School District #20 based on violations of policy that may also involve violations of federal, state or local civil statute:

BREACH OF CONFIDENTIALITY

Definition: *Breach of Confidentiality* is defined as the inappropriate access, use, disclosure, misuse, failure to protect or disposition of private, confidential, restricted, secure or proprietary information, data or records that may be a matter of interest to an outside agency.

Examples: Examples include, but are not limited to, the following: Compromising financial, payroll, personnel, student or health records; disclosing identifiable educational data or other information under FERPA, IDEA or HIPAA in an improper manner; accessing or using information contained within an Individualized Education Plan (IEP) or Section 504 Plan or other confidential record without a “need to know”; disclosing district operational information without proper authorization; assisting unauthorized users to gain access of secure information; leaving confidential information unattended in a non-secure area; removing sensitive data from the district physically or electronically regardless of purpose or stated intent; disposing of protected information in a manner contrary to established policy; disclosing personally identifiable information in a manner that is overheard by an unauthorized third party; or disclosing personally identifiable information about a student on social media.

Related alignments include, but may not be limited to, the following:

Federal alignment(s):

Section 504 of the *Rehabilitation Act of 1973*; *Family Education Rights Privacy Act of 1974* [FERPA; 20 USC §1232g; 34 CFR §99 et seq.]; *Individuals with Disabilities Education Act of 1997 and 2004* [IDEA; 20 USC §1400 et seq.; 34 CFR §300.1 et seq.; Public Law 94-142]; *Health Insurance Portability and Accountability Act of 1996* [HIPAA; 45 CFR §160 and §164]; *Healthy, Hunger-Free Kids Act of 2010* [Public Law 111-296]; *Child Nutrition Act of 1966* [42 USC §1771 et seq.]; 20 USC §1232f and h (b); 20 USC §6311et seq.; 20 USC §7908; 42 USC §13942; *Children’s Internet Protection Act of 2000* [47 USC §254; FCC Order 03-188]

State alignment(s):

ARS §12-2451 et seq., §15-102; §15-104; §15-109; §15-113; §15-114; §15-115; §15-141; §15-142; §15-184; §15-235; §15-239; §15-242; §15-249.01; §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(26); §15-341 (A)(27); §15-341 (A)(30); §15-341 (A)(35); §15-341 (A)(36); §15-341 (A)(41); §15-342 (1); §15-342 (2); §15-342 (3); §15-342 (4); §15-344; §15-346; §15-350; §15-344.01; §15-345; §15-384; §15-388; §15-505; §15-539; §15-540; §15-551; §15-712.01; §15-741 et seq.; §15-751 et seq.; §15-761 et seq.; §15-779 et seq.; §15-796 et seq.; §15-807; §15-821 et seq.; §15-840 et seq.; §15-871 et seq.; §15-881; §15-891 et seq.; §15-1041 et seq.; §15-1151 et seq.; §15-1881; §23-493 et seq.; §23-1361; §36-555; §36-621 et seq.; §38-531 et seq.; §39-128; §41-1482; §42-2001 et seq.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF CIVIL STATUTE - CONTINUED

BREACH OF CONFIDENTIALITY - CONTINUED

Institution policy alignment(s):

SCUSD A; AC-R; AC-E; BBA; DKB; EBC-RE; EBC-E; EEAEAA; EEAEAA-R; EEAEAA-E; EF; EF-R; EFC; EFC-R; EGAEA; EGD; EHB; EHB-R; GBEA; GBEB; GBEB-R; GBGC; GBGC-E; GBGCA; GBGCA-R; GBGCB; GBGCB-E; GBJ; GBJ-E; GCQF; GDOB; GDQD; IHAA; IHAA-R; IHAMA; IHB; IHB-R; IHB-E; IHBA; IHBA-RA; IHBA-RB; IHBA-E; IHBB; IHBCA; IHBCA-R; IHBD; IHBD-R; IHBD-EA; IHBD-ED; IHBf; IJND; IJND-R; IJNDB; JF; JFAA; JFAB; JFABD; JFABD-R; JFABD-EA; JFABD-EB; JFB; JFB-R; JFB-E; JFBA; JFBA-E; JFC; JHD; JHD-R; JHD-EA; JHD-EB; JHD-EC; JI; JI-R; JICK; JICK-R; JICK-EA; JICK-EB; JICL; JICL-R; JICL-E; JKD; JKD-EA; JKD-EB; JKDA; JKE; JKE-E; JL; JK-RA; JL-RB; JLC; JLCA; JLCB; JLCB-R; JLCB-E; JLCC; JLCCA; JLCD; JLCD-R; JLCD-E; JLD; JLDA; JLDA-R; JLH; JLIF; JLIF-R; JLIF-E; JR; JR-R; JHR-EA; JR-EB; JR-EC; JR-ED; JR-EE; JR-EF; JR-EG; JRCA; JRCA-R; JRD; JRD-R; JRE; KB; KB-RA; KB-RB; KB-EB; KD; KDCA; KDD; KDDA; LB; LC; LC-EA; LC-EB; LD

Initial case management responsibility:

INSTITUTION LEVEL ADMINISTRATOR

Mandatory reporting requirement:

YES

Classification:

MODERATE

Disciplinary options:

Options for Action: Breach of Confidentiality				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Written warning	Official reprimand	Suspension	Dismissal
Relatively Equal	Official reprimand	Suspension	Dismissal	Dismissal
Mostly Aggravating	Suspension	Dismissal	Dismissal	Dismissal

Commentary:

1. All incidents potentially involving these grounds must be reported to HR.
2. The lack of an actionable civil complaint or outside agency interest is not a factor for establishing or verifying this ECOC violation.
3. In accordance with IDEA Part B, all persons collecting or using personally identifiable information must receive training or instruction regarding state confidentiality policies and procedures under IDEA Part B and FERPA. Additionally, the district must maintain, for public inspection, a current listing of the names and positions of employees who may have access to personally identifiable information [34 CFR §300.623].
4. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF CIVIL STATUTE - CONTINUED

DISCRIMINATION

Definition: *Discrimination* is defined as the prejudicial treatment of an individual or a group differently than others based on perceived categories such as race, creed, color, religion, gender, age, national origin, military status, disability, economic status, sexual orientation, gender identity or other basis in federal law, state statute or district policy that may be a matter of interest to an outside agency.

Examples: Examples include, but are not limited to, the following: Making comments referencing race or national origin; seeking termination of an employee based solely on his or her age; excluding student subgroups from opportunities available to other students; condoning the race-based intimidation of a student either explicitly or implicitly; harassing co-workers who practice a common faith; denying promotion opportunities to a subordinate on the basis of his or her disability; or disparaging a student based on his or her real or perceived sexual orientation.

Related alignments include, but may not be limited to, the following:

Federal alignment(s): Amendment XIV, U.S. Constitution; *Equal Pay Act of 1963* [29 USC §206(d)]; Title VI of the *Civil Rights Act of 1964* [42 USC §2000d; Public Law 88-352]; Title VII of the *Equal Employment Opportunity Act of 1964* [42 USC §2000e et seq.]; *Age Discrimination in Employment Act of 1967* [ADEA; 29 USC §621 et seq.]; Title IX of the *Education Amendments of 1972* [20 USC §1681 et seq.]; Sections 501 through 505 of the *Rehabilitation Act of 1973* [29 USC §720 et seq.; Public Law 93-112]; *Pregnancy Discrimination Act of 1978*; *Immigration Reform and Control Act of 1986* [IRCA; 8 USC §1324(a) et seq.; Public Law 99-603]; *McKinney-Vento Homeless Assistance Act of 1987* [42 USC §11301 et seq.; Public Law 100-77]; *Americans with Disabilities Act of 1990* [ADA; 42 USC §12101 et seq.]; *Individuals with Disabilities Education Act of 1997 and 2004* [IDEA; 20 USC §1400 et seq.; 34 CFR §300.1 et seq.; Public Law 94-142]; *Genetic Information Nondiscrimination Act of 2008* [ADA; Public Law 110-336]; 20 USC §1684; 20 USC §1703; 20 USC §4071; 25 USC §450e; 28 CFR §35.101 et seq.; 29 CFR §1600.101 et seq.; 34 CFR §100.1 et seq.

State alignment(s): ARS §11-1024; §15-102; §15-110; §15-111; §15-112; §15-113; §15-115; §15-131; §15-184; §15-187.01; §15-191; §15-192; §15-235; §15-239; §15-341 (A)(1); §15-341 (A)(2); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(27); §15-341 (A)(34); §15-342 (1); §15-342 (2); §15-342 (3); §15-342 (4); §15-342 (6); §15-342 (19); §15-342 (20); §15-342 (21); §15-342 (22); §15-342 (24); §15-342 (28); §15-346; §15-347; §15-361; §15-362; §15-363; §15-514; §15-535; §15-539; §15-540; §15-701 et seq.; §15-721 et seq.; §15-731; §15-732; §15-741 et seq.; §15-751 et seq.; §15-761 et seq.; §15-779 et seq.; §15-781 et seq.; §15-796 et seq.; §15-816.01; §15-816.02; §15-816.07; §15-821 et seq.; §15-840 et seq.; §15-881;

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF CIVIL STATUTE - CONTINUED

DISCRIMINATION - CONTINUED

§15-891 et seq.; §15-1151 et seq.; §15-2301; §23-340 et seq.; §41-1461 et seq.; §41-1492 et seq.

Institution policy alignment(s):

SCUSD A; AC; AC-R; AC-E; BBA; EE; EEAA; EF; EF-R; EFC; EFC-R; FEA; GBA; GBA-R; GBA-E; GBAC; GBEA; GBEB; GBEB-R; GBEBB; GCBDA; GCBDA-EA; GCBDA-EB; GCBDA-EC; GCF; GCF-ED; GCMF; GCQF; GDF; GDQD; IB; IGD; IHAA; IHAA-R; IHAMA; IHAMB; IHAMB-R; IHB; IHB-R; IHB-E; IHBA; IHBA-RA; IHBA-RB; IHBA-E; IHBB; IHBCA; IHBCA-R; IHBD; IHBD-R; IHBD-EA; IHBD-ED; IHBf; IHBj; IHBj-R; IHBj-EA; IHBj-EB; IJ; IJ-R; IJJ; IJJ-R; IJL; IJL-R; IJM; IJND; IJND-R; IKE; IKE-RA; IKE-RB; IKF; IKF-RA; IKF-RB; IKF-EA; IKF-EB; IMB; IMG; IMG-R; JB; JB-R; JB-E; JF; JFAA; JFAB; JFABD; JFABD-R; JFABD-EA; JFABD-EB; JFB; JFB-R; JFB-E; JFBA; JFBA-E; JHCB; JI; JI-R; JICF; JICF-R; JICFA; JIDFA-R; JICFA-EB; JICFA-EB; JIG; JII; JII-R; JII-EA; JII-EB; JJA; JJAB; JJIB; JJIB-R; JK; JK-R; JK-EA; JK-EB; JK-EC; JKD; JKD-EA; JKD-EB; JKDA; JKE; JKE-E; JQ; JQ-R; JQ-E; KB; KB-RA; KB-RB; KB-EB; KEC; KEC-E; F; KF-RA; KF-RB; KF-EA; KF-EB; KF-EC; KHB; KHC; KHC-E; KJGA; KJGAA

Association alignment(s):

(Association acronym) X.X

Initial case management responsibility:

INSTITUTION LEVEL ADMINISTRATOR

Mandatory reporting requirement:

YES

Classification:

MODERATE

Disciplinary options:

Options for Action: Discrimination				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Written warning	Official reprimand	Suspension	Dismissal
Relatively Equal	Official reprimand	Suspension	Dismissal	Dismissal
Mostly Aggravating	Suspension	Dismissal	Dismissal	Dismissal

Commentary:

1. All incidents potentially involving these grounds must be reported to HR.
2. The lack of an actionable civil complaint or outside agency interest is not a factor for establishing or verifying this ECOC violation.
3. Evidence of intentionality is not a required factor for verifying this ECOC violation.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF CIVIL STATUTE - CONTINUED*

DISCRIMINATION - CONTINUED

4. Evidence of an actual detriment to the affected individual or group is not a required factor for verifying this ECOC violation.
5. State statute does not restrict or prohibit: 1). Courses or classes for Native American pupils that are required to comply with federal law; 2). The grouping of pupils according to academic performance, including capability in the English language, that may result in a disparate impact by ethnicity; 3). Courses or classes that include the history of any ethnic group and that are open to all students, unless the course or class violates ARS §15-112 (A); 4). Courses or classes that include the discussion of controversial aspects of history; or 5). Instruction of the holocaust, any other instance of genocide, or the historical oppression of a particular group of people based on ethnicity, race, or class [ARS §15-112 (E)].
6. For additional information and examples, consult your direct supervisor or HR.

**ADMINISTRATIVE GUIDELINES:
EMPLOYEE CODE OF CONDUCT (SCUSD)**



ECOC VIOLATIONS - CONTINUED
POTENTIAL VIOLATIONS OF CIVIL STATUTE - CONTINUED

DISCRIMINATION - CONTINUED

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ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF CIVIL STATUTE - CONTINUED

SEXUAL HARASSMENT

Definition: *Sexual Harassment* is defined as any non-mutual, non-consensual, verbal or non-verbal conduct involving gender or sex that is perceived by the recipient, a third party or a reasonable disinterested person to be so severe and/or pervasive, unwelcome, unsolicited, undesirable, abusive, sexually discriminatory or offensive that may be a matter of interest to an outside agency.

Examples: Examples include, but are not limited to, the following: Physical actions or behaviors (e.g., unwelcome sexual advances, touching, indecent exposure, sexual contact); verbal actions or behaviors (e.g., unwelcome requests for sexual favors; propositions or pressure for sexual activity; continued suggestions for a date or social activity outside the workplace after it has been made clear that such suggestions are unwelcome; unwanted or offensive flirtations; offensive jokes; suggestive remarks; sexual innuendos or double entendres; lewd comments; inquiring about someone's sexual preferences, fantasies or activities, and phone calls); non-verbal actions or behaviors (e.g., the display of pornographic or sexually suggestive images, objects, written materials, emails, text-messages or faxes. It includes leering, whistling, sexually suggestive gestures, movements, or facial expressions); gender-specific actions or behaviors (e.g., conduct that denigrates, ridicules, or intimidates another person; conduct that leads to physical abuse of a person because of his or her sex; derogatory or degrading remarks or insults about his or her gender or body); or job-specific actions or behaviors (e.g., explicit or implicit pressure for sexual activity as a condition of hire, continued employment or advancement).

Related alignments include, but may not be limited to, the following:

Federal alignment(s): Title VI of the *Civil Rights Act of 1964* [42 USC §2000d]; Title VII of the Equal Employment Opportunity Act of 1964 [42 USC §2000e et seq.]; Title IX of the *Education Amendments of 1972* [20 USC §1681 et seq.]; 29 CFR §1604.1 et seq.

State alignment(s): ARS §15-239; §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-342.02; §15-539; §15-540; §15-712.01; §15-2301; §41-1461 (6)(a)

Institution policy alignment(s): SCUSD A; ACA; ACA-R; ACA-E; BBA; GBEA; GBEB; GBEB-R; GCQF; GDQD; JICF; JICF-R; JICFA; JIDFA-R; JICFA-EB; JICFA-EB; JICL; JICL-R; JICL-E; JII; JII-R; JII-EA; JII-EB

Initial case management responsibility: INSTITUTION LEVEL ADMINISTRATOR

Mandatory reporting requirement: YES

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF CIVIL STATUTE - CONTINUED*

SEXUAL HARASSMENT - CONTINUED

Classification:

MODERATE

Disciplinary options:

Options for Action: Sexual Harassment				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Written warning	Official reprimand	Suspension	Dismissal
Relatively Equal	Official reprimand	Suspension	Dismissal	Dismissal
Mostly Aggravating	Suspension	Dismissal	Dismissal	Dismissal

Commentary:

1. All incidents potentially involving these grounds must be reported to HR.
2. The lack of an actionable civil complaint or outside agency interest is not a factor for establishing or verifying this ECOC violation.
3. Evidence of intentionality is not a required factor for verifying this ECOC violation.
4. Evidence of an actual detriment to the affected individual or group is not a required factor for verifying this ECOC violation.
5. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF CIVIL STATUTE - CONTINUED

OTHER CIVIL VIOLATION

Definition: *Other Civil Violation* is defined as any incident which negatively impact(s) the work environment, a learning environment or the rights of one or more students, staff members or others not specified elsewhere in this section of the ECOC that may be a matter of interest to an outside agency.

Examples: Examples include, but are not limited to, the following: Creating or contributing to a hostile work environment; harassing a subordinate either verbally or in writing; intimidating or bullying staff, students or others; failing to address student-to-student harassment, intimidation or bullying situations; engaging in an act of retaliation prohibited under federal, state or local civil statute; disregarding established search procedures; violating a copyright; harassing a co-worker or other member of the school community on social media; violating a software *End-User License Agreement* (EULA); or engaging in an act of software piracy.

Related alignments include, but may not be limited to, the following:

Federal alignment(s): Includes Amendments I, IV, V, VI of the U.S. Constitution and all federal level civil violations not otherwise specified

State alignment(s): Includes ARS §1-601 et seq., §8-303, §8-821, §8-350, §8-371, §11-1024; §12-601 et seq., §13-3881, §13-3883, §13-3884, §15-102, §15-110, §15-113, §15-115, §15-121, §15-134, §15-135, §15-151, §15-153, §15-153.01, §15-154, §15-182, §15-184, §15-185, §15-187, §15-187.01, §15-189.03, §15-191, §15-192, §15-231.03, §15-235, §15-239, §15-242, §15-326, §15-341 (A)(1), §15-341 (A)(2), §15-341 (A)(6), §15-341 (A)(13), §15-341 (A)(15), §15-341 (A)(17), §15-341 (A)(21), §15-341 (A)(22), §15-341 (A)(24), §15-341 (A)(27), §15-341 (A)(29), §15-341 (A)(32), §15-341 (A)(33), §15-341 (A)(34), §15-341 (A)(35), §15-341 (A)(36), §15-341 (A)(37), §15-341 (E), §15-341 (G), §15-341.01, §15-342 (1), §15-342 (2), §15-342 (3), §15-342 (4), §15-342 (11), §15-342 (12), §15-342 (19), §15-342 (20), §15-342 (21), §15-342 (22), §15-342 (24), §15-342 (28), §15-342 (32), §15-342.01, §15-344, §15-344.01, §15-346, §15-347, §15-361, §15-362, §15-363, §15-381, §15-382, §15-383, §15-384, §15-387, §15-388, §15-502, §15-505, §15-506, §15-511, §15-514, §15-516, §15-535, §15-539, §15-540, §15-544, §15-545, §15-546, §15-701 et seq., §15-721 et seq., §15-731, §15-732, §15-741 et seq., §15-751 et seq., §15-761 et seq., §15-779 et seq., §15-781 et seq., §15-796 et seq., §15-802.01, §15-803, §15-806, §15-807, §15-808, §15-816.01, §15-816.07, §15-821 et seq., §15-840 et seq., §15-871 et seq., §15-881, §15-891 et seq., §15-918 et seq., §15-1151 et seq., §15-2131, §15-2132, §15-2301, §23-211 et seq., §23-230 et seq., §23-350 et seq., §23-391 et seq., §23-401 et seq., §23-476, §23-493 et seq., §23-801 et seq., §23-901 et seq., §23-1301 et seq., §23-901 et seq., §23-1301 et seq., §23-1501 et seq., §28-900, §28-901, §36-621 et

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF CIVIL STATUTE - CONTINUED

OTHER CIVIL VIOLATION - CONTINUED

seq., §38-532, §39-121.02, §39-121.03, §41-1492 et seq., §41-1493 et seq. and all state level civil violations not otherwise specified

Institution policy alignment(s):

Includes SCUSD A, BBA, BBAA, BIE, DJG, DJG-R, DKA, DKA-E, DKB, EB, EB-R, EBB, EBB-R, EBB-E, EBC, EBC-RA, EBC-RB, EBC-RC, EBC-RD, EBC-RE, EBC-E, EBCD; EBCD-R, ECA, ECAD, ECB, EE, EEAA, EEAE, EEAE-R, EEAE-EA, EEAE-EB, EEAE-EC, EEAE-E, EEAG; EEAG-R, EEB, EF, EF-R, EFC; EFC-R, EFDA, EFE, EGAD, EGAE, EHB, EHB-R, EI, FEA, GBEA, GBEB, GBEB-R, GBEBB, GBGB; GBGB-R, GBGC, GBGC-E, GBGCA; GBGCA-R; GBGCB; GBGCB-E, GBGD, GBGD-R, GBGD-E, GBI, GBK, GBP, GCB, GCBA, GCBD, GCF, GCK, GCMF, GCQC, GCQF, GDB, GDBC, GDBD, GDF, GDF-EE, GDJ, GDL, GDL-R, GDQD, IB, IHAA, IHAA-R, IHAMA, IHAMB, IHAMB-R, IHB, IHB-R, IHB-E, IHBA, IHBA-RA, IHBA-RB, IHBA-E, IHBB, IHBCA, IHBCA-R, IHBD, IHBD-R, IHBD-EA, IHBD-ED, IHBF, IIB, IIB-R, IJ, IJ-R, IJJ, IJJ-R, IJL, IJL-R, IJM, IJND, IJND-R, IJNDB, IKA, IKA-R, IKAB, IKE, IKE-RA, IKE-RB, IKF, IKF-RA, IKF-RB, IKF-EA, IKF-EB, IMB, IMD, IMG, IMG-R, JEA, JEA-E, JF, JFAA, JFAB, JFABC, JFABD, JFABD-R, JFABD-EA, JFABD-EB, JFB, JFB-R, JFB-E, JFBA, JFBA-E, JFC, JH, JH-R, JHB, JHCB, JHD, JHD-R, JHD-EA, JHD-EB, JHD-EC, JI, JI-R, JIA, JICE, JICE-R, JICEC, JICEC-E, JICF, JICF-R; JICFA, JIDFA-R, JICFA-EB, JICFA-EB, JICK, JICK-R, JICK-EA, JICK-EB, JIH, JIH-EA, JIH, EB, JIH-EC, JII, JII-R, JII-EA, JII-EB, JJA, JJAB, JJIB, JJIB-R, JJIB-E, JK, JK-R, JK-EA, JK-EB, JK-EC, JKD, JKD-EA, JKD-EB, JKDA, JKE, JKE-E, JLA, JLCD; JLCD-R, JLCD-E, JLI; JLIA, JLIB, JLIB-R, JLIF, JLIF-R, JLIF-E, JN, JO, KB, KB-RA, KB-RB, KB-EB, KEC, KEC-E, KED, KED-R, KED-E, KF, KF-RA, KF-RB, KF-EA, KF-EB, KF-EC, KHB, KHC, KHC-E, KI, KI-R, KJGA, KJGAA and all district level civil violations not otherwise specified

Initial case management responsibility:

INSTITUTION LEVEL ADMINISTRATOR

Mandatory reporting requirement:

YES

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF CIVIL STATUTE - CONTINUED

OTHER CIVIL VIOLATION - CONTINUED

Classification: MODERATE

Disciplinary options:

Options for Action: Other Civil Violation				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Written warning	Official reprimand	Suspension	Dismissal
Relatively Equal	Official reprimand	Suspension	Dismissal	Dismissal
Mostly Aggravating	Suspension	Dismissal	Dismissal	Dismissal

Commentary:

1. Additional examples include: Harassing, intimidating or bullying acts that substantially interfere with a student's educational benefits, opportunities or performance, that takes place on school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop, that have the effect of: 1). Physically harming a student or damaging a student's property; 2). Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property; or 3). Creating a hostile educational environment.
2. All incidents potentially involving these grounds must be reported to HR.
3. The lack of an actionable civil complaint or outside agency interest is not a factor for establishing or verifying this ECOC violation.
4. Evidence of intentionality is not a required factor for verifying this ECOC violation.
5. Evidence of an actual detriment to the affected individual or group is not a required factor for verifying this ECOC violation.
6. Although no civil consequences are associated with the act, a teacher who uses sectarian or denominational books or teaches any sectarian doctrine or conducts any religious exercises in school in a non-elective manner is guilty of unprofessional conduct and his certificate shall be revoked [ARS §15-535; SCUSD GCMF].
7. Although no civil consequences are associated with the act, a certificated teacher shall not resign after signing and returning his contract, unless the resignation is first approved by the governing board. A teacher who resigns contrary to this section shall be deemed to commit an unprofessional act and, upon request of the governing board, shall be subject to such disciplinary action, including suspension or revocation of certificate, as the state board of education deems appropriate [ARS §15-545].
8. For additional information and examples, consult your direct supervisor or HR.

**ADMINISTRATIVE GUIDELINES:
EMPLOYEE CODE OF CONDUCT (SCUSD)**



ECOC VIOLATIONS - CONTINUED
POTENTIAL VIOLATIONS OF CIVIL STATUTE - CONTINUED
OTHER CIVIL VIOLATION - CONTINUED

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ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF CRIMINAL LAW

The following actions and/or behaviors represent grounds for employee discipline within San Carlos Unified School District #20 based on violations of policy that may also involve violations of federal, state or local criminal law:

ALCOHOL OR DRUG POLICY VIOLATION

Definition: *Alcohol or Drug Policy Violation* is defined as any act which violates the district's controlled substance or alcohol policies that may be a matter of interest to an outside agency.

Examples: Examples include, but are not limited to, the following: Selling, purchasing, distributing, furnishing or possessing any naturally occurring or manufactured compound on the United States Drug Enforcement Agency's (DEA) schedule of regulated substances with effects on mood, perception or behavior, either without a legitimate prescription or for which no prescription may be legally written; possessing accessories, paraphernalia, chemical precursors, or equipment associated with controlled substances; selling, purchasing, distributing, furnishing or possessing an alcoholic beverage on district property or at a district-sponsored event/activity; being under the influence of alcohol, a controlled substance or other intoxicant while on the job or at a district-sponsored event/activity.

Related alignments include, but may not be limited to, the following:

Federal alignment(s): *Drug Free Workplace Act of 1988* [Public Law 100-690; 41 USC §701 et seq.; CFR §84.100 et seq.]; *Federal Omnibus Transportation Employee Testing Act of 1991*; 20 USC §7101 et seq.; 18 USC §341 et seq.; 21 USC §812; 42 USC §12644; 21 CFR §1308.01 et seq.; 49 CFR §40.1 et seq.; 34 CFR §86.1 et seq.; 49 CFR §40.1 et seq.

State alignment(s): ARS §13-105; §13-503; §13-601 et seq.; §13-713; §13-1001; §13-1002; §13-1003; §13-1004; §13-1005; §13-1006; §13-1205; §13-3401 et seq.; §13-3451 et seq.; §15-106; §15-108; §15-132; §15-183; §15-240; §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-342 (26); §15-342 (27); §15-345; §15-350; §15-502; §15-512; §15-513; §15-514; §15-534; §15-539; §15-540; §15-550; §15-712; §15-716; §15-782.02; §23-493 et seq.; §28-1301 et seq.; §28-3228; §36-2801 et seq.; §41-1750; §41-1758.03 (B); §41-1758.03 (C)

Institution policy alignment(s): SCUSD A; BBA; EEAEAA; EEAEAA-R; EEAEAA-E; GBAB; GBEA; GBEB; GBEB-R; GBEB-E; GBEC; GBEC-EA; GBEC-EB; GBECA; GBECB; GBGC; GCF; GCF-RA; GCF-EA; GCF-EB; GCFC; GCFC-E; GCQF; GDF; GDF-R; GDF-EC; GDF-ED; GDFA; GDFA-E; GDOB; GDQD; IHAMA; IHAMB; IHAMB-R; JICH; JICH-R; JICH-E; KFA; KL; LDA

Initial case management responsibility: INSTITUTION LEVEL ADMINISTRATOR

Mandatory reporting requirement: YES

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF CRIMINAL LAW - CONTINUED*

ALCOHOL OR DRUG POLICY VIOLATION - CONTINUED

Classification: MAJOR

Disciplinary options:

Options for Action: Alcohol or Drug Policy Violation				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Official reprimand	Suspension	Dismissal	Not Applicable
Relatively Equal	Suspension	Dismissal	Dismissal	Not Applicable
Mostly Aggravating	Dismissal	Dismissal	Dismissal	Not Applicable

Commentary:

1. All incidents potentially involving these grounds must be reported to HR.
2. Some examples of this ECOC violation may be incompatible with initial or continued employment by the district. For management guidelines, see [Other Criminal Violation \(Disqualifying\)](#).
3. Incidents must be reported to the appropriate outside agency (e.g. law enforcement, social services and/or ADE/AZBOE) where mandated.
4. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF CRIMINAL LAW - CONTINUED

COMMISSION OF A SEX OFFENSE

Definition: *Commission of a Sex Offense* is defined as any act which violates the district's professional or non-professional relationship policies that may be a matter of interest to an outside agency.

Examples: Examples include, but are not limited to, the following: Engaging in an inappropriate relationship with a student or other minor; touching a staff member, student or other person in a sexually inappropriate manner; engaging in sexual conduct with a minor student or other minor regardless of location or consensuality; possessing child pornography; or committing another act of sexual misconduct prohibited under federal, law, state statute, tribal code or local ordinance.

Related alignments include, but may not be limited to, the following:

Federal alignment(s): *Adam Walsh Child Protection and Safety Act of 2006* [AWA; 42 USC §16902; Public Law 109-248]; *Sex Offender Registration and Notification Act* [SORNA; 42 USC §16911 et seq.]; 18 USC §2241 et seq.; 18 USC §2250 et seq.; 18 USC §2421

State alignment(s): ARS §13-105; §13-601 et seq.; §13-706; §13-713; §13-1001; §13-1002; §13-1003; §13-1004; §13-1005; §13-1006; §13-1401 et seq.; §13-3201 et seq.; §13-3501 et seq.; §13-3551 et seq.; §15-106; §15-132; §15-183; §15-203 (20); §15-240; §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(31); §15-342 (26); §15-350; §15-502; §15-512; §15-514; §15-534; §15-539; §15-540; §15-550; §15-711; §15-711.01; §15-712; §15-712.01; §15-782.02; §28-3228; §34-501; §34-502; §41-1750; §41-1758.03 (B); §41-1758.03 (C)

Institution policy alignment(s): SCUSD A; ACA-R; ACA-E; BBA; GBEA; GBEB; GBEB-R; GBEB-E; GBEBB; GCF; GCF-RA; GCF-EA; GCF-EB; GCFC; GCFC-E; GCQF; GDF; GDF-R; GDF-EC; GDF-ED; GDFA; GDFA-E; GDQD; JICL; JICL-R; JICL-E; KL; LDA

Initial case management responsibility: INSTITUTION LEVEL ADMINISTRATOR

Mandatory reporting requirement: YES

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF CRIMINAL LAW - CONTINUED*

COMMISSION OF A SEX OFFENSE - CONTINUED

Classification:

DISQUALIFYING

Disciplinary options:

Options for Action: Commission of a Sex Offense				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Dismissal	Not Applicable	Not Applicable	Not Applicable
Relatively Equal	Dismissal	Not Applicable	Not Applicable	Not Applicable
Mostly Aggravating	Dismissal	Not Applicable	Not Applicable	Not Applicable

Commentary:

1. All incidents potentially involving these grounds must be reported to HR.
2. Most examples of this ECOC violation are incompatible with initial or continued employment by the district. For management guidelines, see [Other Criminal Violation \(Disqualifying\)](#).
3. Incidents must be reported to the appropriate outside agency (e.g. law enforcement, social services and/or ADE/AZBOE) where mandated.
4. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF CRIMINAL LAW - CONTINUED

DISHONESTY (CRIMINAL)

Definition: *Dishonesty (Criminal)* is defined as any lack of truthfulness or deception that may be a matter of interest to an outside agency.

Examples: Examples include, but are not limited to the following: Engaging in an act of commission (e.g., the criminal misrepresentation of facts, such as initiating a false complaint alleging criminal activity or making false statements to law enforcement during the course of an investigation); or engaging in an act of omission (e.g., the failure to relate all pertinent details to an investigator, such as neglecting mandatory reporting responsibilities regarding suspected child abuse or withholding knowledge of the existence of contradictory evidence).

Related alignments include, but may not be limited to, the following:

Federal alignment(s): 18 USC §201 et seq.; 18 USC §663; 18 USC §911; 18 USC §1001 et seq.; 18 USC §1169; 18 USC §1621 et seq.; 18 USC §2258; 18 USC §3600a; 42 USC §5119; 42 USC §13031; 42 USC §16990

State alignment(s): ARS §13-105; §13-302; §13-303; §13-601 et seq.; §13-713; §13-1001; §13-1002; §13-1003; §13-1004; §13-1005; §13-1006; §13-3620; §13-3716; §15-103; §15-105; §15-106; §15-107; §15-132; §15-183; §15-189; §15-210; §15-213; §15-239; §15-240; §15-271; §15-272; §15-304; §15-323; §15-341 (A)(1); §15-341 (A)(14); §15-341 (A)(17); §15-341 (A)(19); §15-341 (A)(20); §15-341 (A)(21); §15-341 (A)(22); §15-342 (5); §15-342 (26); §15-350; §15-354; §15-502; §15-512; §15-514; §15-515; §15-534; §15-539; §15-540; §15-782.02; §15-901 et seq.; §15-918 et seq.; §15-921 et seq.; §15-941 et seq.; §15-961 et seq.; §15-971 et seq.; §15-991 et seq.; §15-1021 et seq.; §15-1041 et seq.; §15-1101 et seq.; §15-1121 et seq.; §15-1141 et seq.; §15-1151 et seq.; §15-1171 et seq.; §15-1181 et seq.; §15-1201 et seq.; §15-1221 et seq.; §15-1231; §15-1241; §15-1251; §15-1261; §28-3228; §38-481; §38-501 et seq.; §38-621 et seq.; §41-1279.04 et seq.; §41-1750; §41-1758.03 (C); §46-454

Institution policy alignment(s): SCUSD A; BBA; BCB; BCB-E; CM; DB; DBC; DBC-R; DBF; DBI; DBJ; DD; DD-E; DDA; DEC; DFB; DFD; DFF; DG; DGA; DGD; DGD-R; DGD-E; DH; DI; DIA; DIB; DIC; DID; DID-R; DIE; DIE-R; DJ; DJB; DJE; DJE-R; DJE-E; DK; DK-E; DKC; DKC-E; DM; DN; EF-E; GBEA; GBEAA; GBEAA-E; GBEB; GBEB; GBEB-R; GBEB-E; GBEB-C; GCF; GCF-RA; GCF-EA; GCF-EB; GCFC; GCFC-E; GCQF; GDF; GDF-R; GDF-EC; GDF-ED; GDFA; GDFA-E; GDQD; JICF; JICF-R; JICFA; JIDFA-R; JICFA-EB; JICFA-EB JICH; JICH-R; JICH-E; JICI; JJE; JJF; JLF; JLF-R; JLF-E; KL; LDA

Initial case management responsibility: INSTITUTION LEVEL ADMINISTRATOR

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF CRIMINAL LAW - CONTINUED*

DISHONESTY (CRIMINAL) - CONTINUED

Mandatory reporting requirement: YES

Classification: MAJOR

Disciplinary options:

Options for Action: Dishonesty (Criminal)				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Official reprimand	Suspension	Dismissal	Not Applicable
Relatively Equal	Suspension	Dismissal	Dismissal	Not Applicable
Mostly Aggravating	Dismissal	Dismissal	Dismissal	Not Applicable

Commentary:

1. All incidents potentially involving these grounds must be reported to HR.
2. Incidents must be reported to the appropriate outside agency (e.g. law enforcement, social services and/or ADE/AZBOE) where mandated.
3. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF CRIMINAL LAW - CONTINUED

FALSIFICATION OF OR FAILURE TO ACCURATELY PROVIDE INFORMATION (CRIMINAL)

Definition: *Falsification of or Failure to Accurately Provide Information (Criminal) is defined as any written act of dishonesty that may be a matter of interest to an outside agency.*

Examples: Examples include, but are not limited to, the following: Submitting a signed testimony known to contain false information; filing a report required by federal, state or local authorities containing information known to be missing, incomplete or incorrect; altering official applications or records after their submittal; presenting forged credentials relating to eligibility for initial or continued employment; making a false non-disqualifying statement on a fingerprint clearance card; or accounting for the receipt, deposit or disbursement of funds in a manner prohibited by law.

Related alignments include, but may not be limited to, the following:

Federal alignment(s): 18 USC §285 et seq.; 18 USC §470 et seq.; 18 USC §1001 et seq.; 18 USC §1341; 18 USC §1426

State alignment(s): ARS §13-105; §13-601 et seq.; §13-1001; §13-1002; §13-1003; §13-1004; §13-1005; §13-1006; §13-2001 et seq.; §13-2101 et seq.; §13-2201 et seq.; §13-2907 et seq.; §15-103; §15-106; §15-107; §15-132; §15-183; §15-189; §15-210; §15-213; §15-239; §15-240; §15-271; §15-272; §15-304; §15-341 (A)(1); §15-341 (A)(14); §15-341 (A)(17); §15-341 (A)(18); §15-341 (A)(19); §15-341 (A)(20); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(41); §15-342 (5); §15-342 (26); §15-350; §15-354; §15-502; §15-512; §15-514; §15-534; §15-539; §15-540; §15-756.10; §15-782.02; §15-901 et seq.; §15-918 et seq.; §15-921 et seq.; §15-941 et seq.; §15-961 et seq.; §15-971 et seq.; §15-991 et seq.; §15-1021 et seq.; §15-1041 et seq.; §15-1101 et seq.; §15-1121 et seq.; §15-1141 et seq.; §15-1151 et seq.; §15-1171 et seq.; §15-1181 et seq.; §15-1201 et seq.; §15-1221 et seq.; §15-1231; §15-1241; §15-1251; §15-1261; §28-3228; §38-421; §38-423; §38-621 et seq.; §39-161; §41-1279.04 et seq.; §41-1750; §41-1758.03 (C); §46-215

Institution policy alignment(s): SCUSD A; BBA; CM; DB; DBC; DBC-R; DBF; DBI; DBJ; DD; DD-E; DDA; DEC; DFB; DFD; DFF; DG; DGA; DGD; DGD-R; DGD-E; DH; DI; DIA; DIB; DIC; DID; DID-R; DIE; DIE-R; DK; DK-E; DKC; DKC-E; DM; DN; EHB; EHB-R; GBEA; GBEB; GBEB-R; GCF; GCF-RA; GCF-EA; GCF-EB; GCFC; GCFC-E; GCQF; GDF; GDF-R; GDF-EC; GDF-ED; GDFA; GDFA-E; GDQD; JJE; JJF; JR; JR-R; JHR-EA; JR-EB; JR-EC; JR-ED; JR-EE; JR-EF; JR-EG; KL; LDA

Initial case management responsibility: INSTITUTION LEVEL ADMINISTRATOR

Mandatory reporting requirement: YES

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF CRIMINAL LAW - CONTINUED

FALSIFICATION OF OR FAILURE TO ACCURATELY PROVIDE INFORMATION (CRIMINAL) – CONTINUED

Classification:

MAJOR

Disciplinary options:

Options for Action: Falsification of or Failure to Accurately Provide Information (Criminal)				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Official reprimand	Suspension	Dismissal	Not Applicable
Relatively Equal	Suspension	Dismissal	Dismissal	Not Applicable
Mostly Aggravating	Dismissal	Dismissal	Dismissal	Not Applicable

Commentary:

1. All incidents potentially involving these grounds must be reported to HR.
2. Incidents must be reported to the appropriate outside agency (e.g. law enforcement, social services and/or ADE/AZBOE) where mandated.
3. See also *Education Department General Administrative Regulations* (EDGAR 34 CFR §74-86 and 97-99).
4. For additional information and examples, consult your direct supervisor or HR

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF CRIMINAL LAW - CONTINUED

INAPPROPRIATE, ABUSIVE, OR OFFENSIVE CONDUCT (CRIMINAL)

Definition: *Inappropriate, Abusive or Offensive Conduct (Criminal)* is defined as any act which interferes with the personal rights of staff, students, others or the legitimate interests of the district that may be a matter of interest to an outside agency.

Examples: Examples include, but are not limited to, the following: Committing violence in the workplace; causing injury or endangering a person directly or through neglect of duty; assaulting or battering a person; threatening or injuring a person, or damaging property, in an act of criminal harassment or civil rights intimidation; stalking a person; committing an act of indecent exposure; or engaging in an act of retaliation prohibited under federal, state or local criminal law.

Related alignments include, but may not be limited to, the following:

Federal alignment(s): 18 USC §111 et seq.; 18 USC §241 et seq.; 18 USC §871 et seq.; 18 USC §2231 et seq.; 18 USC §2261 et seq.

State alignment(s): ARS §13-105; §13-118; §13-401 et seq.; §13-601 et seq.; §13-706; §13-713; §13-1001; §13-1002; §13-1003; §13-1004; §13-1005; §13-1006; §13-1201; §13-1202; §13-1203; §13-1204; §13-1208; §13-1209; §13-1210; §13-1213; §13-1402; §13-1403; §15-106; §15-132; §15-151; §15-156; §15-182; §15-183; §15-240; §15-341 (A)(1); §15-341 (A)(12); §15-341 (A)(13); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(24); §15-341 (A)(31); §15-341 (A)(37); §15-342 (12); §15-342 (26); §15-342.02; §15-350; §15-502; §15-507; §15-512; §15-514; §15-521 (2); §15-534; §15-539; §15-540; §15-550; §15-712.01; §15-782.02; §15-2301; §28-3228; §41-1750; §41-1758.03 (B); §41-1758.03 (C)

Institution policy alignment(s): SCUSD A; AC-R; AC-E; BBA; GBEA; GBEB; GBEB-R; GBEB-E; GBEBB; GBGB; GBGB-R; GCF; GCF-RA; GCF-EA; GCF-EB; GCFC; GCFC-E; GCQF; GDF; GDF-R; GDF-EC; GDF-ED; GDFA; GDFA-E; GDQD; JICF; JICF-R; JICFA; JIDFA-R; JICFA-EB; JICFA-EB; JICK; JICK-R; JICK-EA; JICK-EB; JICL; JICL-R; JICL-E; JII; JII-R; JII-EA; JII-EB; JK; JK-R; JK-EA; JK-EB; JK-EC; JKA; KFA; KL; LDA

Initial case management responsibility: INSTITUTION LEVEL ADMINISTRATOR

Mandatory reporting requirement: YES

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF CRIMINAL LAW - CONTINUED

INAPPROPRIATE, ABUSIVE, OR OFFENSIVE CONDUCT (CRIMINAL) - CONTINUED

Classification:

MAJOR

Disciplinary options:

Options for Action: Inappropriate, Abusive or Offensive Conduct (Criminal)				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Official reprimand	Suspension	Dismissal	Not Applicable
Relatively Equal	Suspension	Dismissal	Dismissal	Not Applicable
Mostly Aggravating	Dismissal	Dismissal	Dismissal	Not Applicable

Commentary:

1. All incidents potentially involving these grounds must be reported to HR.
2. Some examples of this ECOC violation may be incompatible with initial or continued employment by the district. For management guidelines, see [Other Criminal Violation \(Disqualifying\)](#).
3. Incidents must be reported to the appropriate outside agency (e.g. law enforcement, social services and/or ADE/AZBOE) where mandated.
4. Additional examples include: 1). Injuring, threatening to injure or coercing another person with the intent to unlawfully intimidate another from the free exercise or enjoyment of any right or privilege secured by the constitution or laws of the state of Arizona; 2). Injuring, threatening to injure or coercing another person with the intent to unlawfully intimidate another because that other exercised any right or privilege secured by the constitution or laws of the United States or the constitution or laws of the state of Arizona; 3). Destroying, damaging or defacing any real or personal property of another person with the intent to unlawfully intimidate another from the free exercise or enjoyment of any right or privilege secured by the constitution or laws of the state of Arizona; or 4). Destroying, damaging or defacing any real or personal property of another person with the intent to unlawfully intimidate another because that other exercised any right or privilege secured by the constitution or laws of the United States or the constitution or laws of the state of Arizona.
5. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF CRIMINAL LAW - CONTINUED

THEFT, ABUSE, OR UNAUTHORIZED USE OF PROPERTY

Definition: *Theft, Abuse or Unauthorized Use of Property* is defined as any act which constitutes the stealing, wrongful appropriation, improper diversion, destruction or misuse of property belonging to the district, staff, students or others that may be a matter of interest to an outside agency.

Examples: Examples include, but are not limited to, the following: Stealing funds from a petty cash account; misappropriating materials rightly owned by another party; diverting district technology assets for personal use; destroying district property in an act of vandalism; the misuse of vehicles owned by the district; or the after-hours use of district-owned equipment without proper authorization or approval.

Related alignments include, but may not be limited to, the following:

Federal alignment(s): 18 USC §641 et seq.; 18 USC §2311 et seq.

State alignment(s): ARS §13-105; §13-601 et seq.; §13-713; §13-1001; §13-1002; §13-1003; §13-1004; §13-1005; §13-1006; §13-1601 et seq.; §13-1801 et seq.; §15-103; §15-105; §15-106; §15-107; §15-132; §15-183; §15-189; §15-213; §15-240; §15-326; §15-341 (A)(1); §15-341 (A)(3); §15-341 (A)(6); §15-341 (A)(14); §15-341 (A)(19); §15-341 (A)(20); §15-341 (A)(21); §15-341 (A)(22); §15-342 (5); §15-342 (18); §15-342 (26); §15-350; §15-354; §15-502; §15-512; §15-514; §15-534; §15-539; §15-540; §15-727; §15-782.02; §15-901 et seq.; §15-1101 et seq.; §15-1121 et seq.; §15-1141 et seq.; §15-1151 et seq.; §15-1171 et seq.; §15-1181 et seq.; §15-1201 et seq.; §15-1221 et seq.; §15-1231; §15-1241; §15-1251; §15-1261; §28-3228; §38-538 et seq.; §38-621 et seq.; §41-1750; §41-1758.03 (C)

Institution policy alignment(s): SCUSD A; BBA; DBJ; DFD; DGD; DGD-R; DGD-E; DH; DID; DID-R; DJ; DKC; DKC-E; DM; DN; ECA; ECAC; ECAC-R; ECAD; EDB; EDB-R; EDBA; EDC; GBEA; GBEB; GBEB-R; GCF; GCF-RA; GCF-EA; GCF-EB; GCFC; GCFC-E; GCQF; GDF; GDF-R; GDF-EC; GDF-ED; GDFA; GDFA-E; GDQD; JJE; JJF; KN; KL; LDA

Initial case management responsibility: INSTITUTION LEVEL ADMINISTRATOR

Mandatory reporting requirement: YES

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF CRIMINAL LAW - CONTINUED*

THEFT, ABUSE OR UNAUTHORIZED USE OF PROPERTY - CONTINUED

Classification:

MAJOR

Disciplinary options:

Options for Action: Theft, Abuse or Unauthorized Use of Property				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Official reprimand	Suspension	Dismissal	Not Applicable
Relatively Equal	Suspension	Dismissal	Dismissal	Not Applicable
Mostly Aggravating	Dismissal	Dismissal	Dismissal	Not Applicable

Commentary:

1. All incidents potentially involving these grounds must be reported to HR.
2. Incidents must be reported to the appropriate outside agency (e.g. law enforcement, social services and/or ADE/AZBOE) where mandated.
3. See also *Education Department General Administrative Regulations* (EDGAR 34 CFR §74-86 and 97-99).
4. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF CRIMINAL LAW - CONTINUED

WEAPONS POLICY VIOLATION

Definition: *Weapon Policy Violation* is defined as any act which violates the district's weapons policies that may be a matter of interest to an outside agency.

Examples: Examples include, but are not limited to, the following: Possessing, transporting, exchanging, exhibiting or using any device, instrument or item that: 1). Fires a projectile by means of an explosive, air, water or other propellant; 2). Contains component(s) that may be converted into such a device; 3). May be reasonably characterized as an offensive or defensive weapon capable of inflicting temporary or permanent injury upon a person; 4). Is used to threaten or attack another person; or 5). Resembles such a weapon.

Related alignments include, but may not be limited to, the following:

Federal alignment(s): *Gun Control Act of 1968* [GCA; 18 USC §921 et seq.; Public Law 90-618], *Gun Free School Zones Act of 1990* [GFSZA; 18 USC §922 and 924] and *Gun Free Schools Act of 1994*; 18 USC §175 et seq.; 18 USC §229 et seq.; 18 USC §831 et seq.; 18 USC §841 et seq.; 27 CFR §447.1 et seq.

State alignment(s): ARS §13-105; §13-601 et seq.; §13-706; §13-713; §13-1001; §13-1002; §13-1003; §13-1004; §13-1005; §13-1006; §13-1211; §13-3101 et seq.; §15-106; §15-132; §15-183; §15-240; §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(23); §15-341 (A)(31); §15-342 (26); §15-350; §15-502; §15-512; §15-514; §15-534; §15-539; §15-540; §15-713; §15-714; §15-714.01; §15-782.02; §28-3228; §41-1750; §41-1758.03 (C)

Institution policy alignment(s): SCUSD A; BBA; GBEA; GBEB; GBEB-R; GCF; GCF-RA; GCF-EA; GCF-EB; GCFC; GCFC-E; GCQF; GDF; GDF-R; GDF-EC; GDF-ED; GDFA; GDFA-E; GDQD; JICI; KL; LDA

Initial case management responsibility: INSTITUTION LEVEL ADMINISTRATOR

Mandatory reporting requirement: YES

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF CRIMINAL LAW - CONTINUED*

WEAPONS POLICY VIOLATION - CONTINUED

Classification:

MAJOR

Disciplinary options:

Options for Action: Weapons Policy Violation				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Official reprimand	Suspension	Dismissal	Not Applicable
Relatively Equal	Suspension	Dismissal	Dismissal	Not Applicable
Mostly Aggravating	Dismissal	Dismissal	Dismissal	Not Applicable

Commentary:

1. All incidents potentially involving these grounds must be reported to HR.
2. Some examples of this ECOC violation may be incompatible with initial or continued employment by the district. For management guidelines, see [Other Criminal Violation \(Disqualifying\)](#).
3. Incidents must be reported to the appropriate outside agency (e.g. law enforcement, social services and/or ADE/AZBOE) where mandated.
4. Evidence of intentionality is not a required factor for verifying this ECOC violation.
5. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF CRIMINAL LAW - CONTINUED

OTHER CRIMINAL VIOLATION (NON-DISQUALIFYING)

Definition: *Other Criminal Violation (Non-disqualifying)* is defined as any act that does not statutorily render an employee ineligible for employment not specified elsewhere in this section of the ECOC that may be a matter of interest to an outside agency.

Example: Examples include, but are not limited to, the following: Breaking and entering into a district-owned structure; creating or contributing to a civil disturbance; coercing a witness; or being convicted of Driving Under the Influence (DUI) if no transportation duties are required of the employee.

Related alignments include, but may not be limited to, the following:

Federal alignment(s):

Includes 18 USC §228, 18 USC §231 et seq., 18 USC §331 et seq., 18 USC §351 et seq., 18 USC §371 et seq., 18 USC §401 et seq., 18 USC §1071 et seq., 18 USC §1084, 18 USC §1261 et seq., 18 USC §1301 et seq., 18 USC §1361 et seq., 18 USC §1425, 18 USC §1460 through 1466, 18 USC §1470, 18 USC §1501 et seq., 18 USC §1581 et seq., 18 USC §1751 et seq., 18 USC §1801, 18 USC §1831 et seq., 18 USC §1951 et seq., 18 USC §1961 et seq., 18 USC §2101 et seq., 18 USC §2325 et seq., 18 USC §2331 et seq., 18 USC §2341 et seq., 18 USC §2381 et seq., 18 USC §2510 et seq., 18 USC §2701 et seq. and all non-disqualifying federal level criminal violations not otherwise specified

State alignment(s):

Includes ARS §13-105, §13-302, §13-303, §13-305, §13-305, §13-601 et seq., §13-706, §13-713, §13-1001, §13-1002, §13-1003, §13-1004, §13-1005, §13-1006, §13-1102, §13-1103, §13-1302, §13-1303, §13-1304, §13-1305, §13-1306, §13-1308, §13-1501 et seq., §13-1701 et seq., §13-1901 et seq., §13-2301 et seq., §13-2401 et seq., §13-2501 et seq., §13-2601 et seq., §13-2701 et seq., §13-2801 et seq., §13-2901 through §13-2906, §13-2908 through §13-2930, §13-3001 et seq., §13-3301 et seq., §13-3601 et seq., §13-3701 et seq., §15-106, §15-132, §15-183, §15-240, §15-341 (A)(1), §15-341 (A)(21), §15-341 (A)(22), §15-341 (A)(31), §15-342 (26), §15-350, §15-502, §15-512, §15-514, §15-534, §15-539, §15-540, §15-550, §15-782.02, §16-402, §23-201, §23-202, §23-203, §23-212, §23-1362, §28-601 through §28-1205, §28-3228, §38-231, §39-101 et seq., §41-1750, §41-1758.03 (C) and all non-disqualifying state level criminal violations not otherwise specified

Institution policy alignment(s):

Includes SCUSD A, BBA, EB, EB-R, EBC, EBC-RA, EBC-RB, EBC-RD, ECA, ECA-R, ECA-E, GBEA, GBEB, GBEB-R, GBED, GCF, GCF-RA, GCF-EA, GCF-EB, GCFC, GCFC-E, GCFE, GCFE-E, GCQF, GDF, GDF-R, GDF-EC, GDF-ED, GDFA, GDFA-E, GDFE, GDQD, KFA, KL, LDA and all non-disqualifying district level criminal violations not otherwise specified

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF CRIMINAL LAW - CONTINUED*

OTHER CRIMINAL VIOLATION (NON-DISQUALIFYING) – CONTINUED

Initial case management responsibility: INSTITUTION LEVEL ADMINISTRATOR

Mandatory reporting requirement: YES

Classification: NON-DISQUALIFYING

Disciplinary options:

Options for Action: Other Criminal Violation (Non-Disqualifying)				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Suspension	Dismissal	Not Applicable	Not Applicable
Relatively Equal	Dismissal	Dismissal	Not Applicable	Not Applicable
Mostly Aggravating	Dismissal	Dismissal	Not Applicable	Not Applicable

Commentary:

1. All incidents potentially involving these grounds must be reported to HR.
2. Some examples of this ECOC violation are incompatible with initial or continued employment by the district. For management guidelines, see [Other Criminal Violation \(Disqualifying\)](#).
3. Incidents must be reported to the appropriate outside agency (e.g. law enforcement, social services and/or ADE/AZBOE) where mandated.
4. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED POTENTIAL VIOLATIONS OF CRIMINAL LAW - CONTINUED

OTHER CRIMINAL VIOLATION (DISQUALIFYING)

Definition: *Other Criminal Violation (Disqualifying)* is defined as any act that statutorily renders an employee ineligible for employment not specified elsewhere in this section of the ECOC that may be a matter of interest to an outside agency.

Examples: Examples include, but are not limited to, the following: Being convicted of a crime reportable to the Arizona Department of Education/Arizona State Board of Education for subsequent consideration for license suspension, revocation or denial or fingerprint clearance forfeiture.

Related alignments include, but may not be limited to, the following:

Federal alignment(s): Includes 18 USC §1111 et seq., 18 USC §1201 et seq., 18 USC §1466a, 18 USC §2111 et seq., 18 USC §2251 et seq., 18 USC §2423, 18 USC §2425, 18 USC §2427, 18 USC §3283 and all disqualifying federal level criminal violations not otherwise specified

State alignment(s): Includes ARS §8-800 et seq., §13-105, §13-118, §13-601 et seq., §13-705, §13-706, §13-713, §13-1001, §13-1002, §13-1003, §13-1004, §13-1005, §13-1006, §13-1104, §13-1105, §13-1307, §13-1403, §13-1404, §13-1405, §13-1406, §13-1410, §13-1417, §13-3201, §13-3202, §13-3203, §13-3204, §13-3205, §13-3206, §13-3207, §13-3208, §13-3209, §13-3210, §13-3212, §13-3502, §13-3506, §13-3506.01, §13-3512, §13-3552, §13-3553, §13-3554, §13-3555, §13-3558, §13-3560, §13-3608, §13-3609, §13-3623, §13-3625, §13-3821 et seq., §15-106, §15-132, §15-183, §15-203 (20), §15-240, §15-341 (A)(1), §15-341 (A)(21), §15-341 (A)(22), §15-341 (A)(31), §15-342 (26), §15-350, §15-502, §15-512, §15-514, §15-534, §15-539, §15-540, §15-550, §15-711, §15-711.01, §15-712, §15-782.02, §28-3228, §41-1750, §41-1758.03 (B) and all disqualifying state level criminal violations not otherwise specified

Institution policy alignment(s): Includes SCUSD A, BBA, GBEA, GBEB, GBEB-R, GBEB-E, GBEBB, GCF, GCF-RA, GCF-EA, GCF-EB, GCFC, GCFC-E, GCQF, GDF, GDF-R, GDF-EC, GDF-ED, GDFA, GDFA-E, GDQD, JLIF, LIF-R, JLIF-E, KL, LDA and all disqualifying district level criminal violations not otherwise specified

Initial case management responsibility: INSTITUTION LEVEL ADMINISTRATOR

Mandatory reporting requirement: YES

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



ECOC VIOLATIONS - CONTINUED *POTENTIAL VIOLATIONS OF CRIMINAL LAW – CONTINUED*

OTHER CRIMINAL VIOLATION (DISQUALIFYING) - CONTINUED

Classification:

DISQUALIFYING

Disciplinary options:

Options for Action: Other Criminal Violation (Disqualifying)				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Dismissal	Not Applicable	Not Applicable	Not Applicable
Relatively Equal	Dismissal	Not Applicable	Not Applicable	Not Applicable
Mostly Aggravating	Dismissal	Not Applicable	Not Applicable	Not Applicable

Commentary:

1. All incidents potentially involving these grounds must be reported to HR.
2. All examples of these ECOC violations are incompatible with initial or continued employment by the district.
3. Incidents must be reported to the appropriate outside agency (e.g. law enforcement, social services and/or ADE/AZBOE) where mandated.
4. For additional information and examples, consult your direct supervisor or HR.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



PROCEDURES FOR INFORMAL ACTIONS

The consequences for ECOC violations within the district range from informal, self-remediable actions (acknowledged oral warnings and written warnings exempt from the provisions of ARS §15-341) to formal disciplinary actions (official reprimands, suspensions and dismissals) for certified administrators and teachers [ARS §15-501; SCUSD GBEB, GCB and GCBA] irrespective of seniority [ARS §15-502 (H), §15-536 and §15-538.01; SCUSD GCBA-R and GCJ] as well as non-certified term contract staff members and at-will staff members [ARS §23-1501 (1) and (2); SCUSD GDB and GDBA]. The district does not participate in a meet and confer process [SCUSD HD].

ACKNOWLEDGED ORAL WARNINGS

A. **Definition.** An *acknowledged oral warning* is defined as a documented conference between an administrator or supervisor and an employee. This informal action is the least severe type of response to an ECOC violation and is meant to alert an employee to the fact that: 1). A deficiency has been noted; and 2). Self-remediation is expected. Although there is no prescribed format for acknowledged oral warnings under state statute, the district-approved procedure must be followed and the events must be documented.

B. **Overview.** Employees facing this type of informal action will receive the following:

1. **Certified employees:**

- a. Representation if applicable.
- b. An informal meeting with his or her administrator in a private location.
- c. An explanation of the allegation(s) involved.
- d. A reasonable amount of time to respond to the allegation(s).
- e. Consideration of the response and all pertinent aggravating factors or mitigating factors in the case prior to making a decision to take informal action.
- f. An explanation of the reason(s) for taking informal action.
- g. The administrator's expectation(s) for self-remediation.
- h. A written, signed copy of the action that includes expectations for correction where applicable.
- i. An opportunity to respond to the action in writing [SCUSD GBJ].
- j. Notification that more severe action may result in the future if the same or similar action(s) or behavior(s) are not self-remediated.

2. **Non-certified employees:**

- a. An informal meeting with his or her supervisor in a private location.
- b. An explanation of the allegation(s) involved.
- c. A reasonable amount of time to respond to the allegation(s).
- d. Consideration of the response and all pertinent aggravating factors or mitigating factors in the case prior to making a decision to take informal action.
- e. An explanation of the reason(s) for taking informal action.
- f. The supervisor's expectation(s) for self-remediation.
- g. A written, signed copy of the action.
- h. An opportunity to respond to the action in writing [SCUSD GBJ and GDQD].
- i. Notification that more severe action may result in the future if the same or similar action(s) or behavior(s) are not self-remediated.

C. **Procedural considerations.** The workflows for this type of informal action are as follows:

1. **Certified employees:**

- a. **Prior to informal action.** The administrator will complete an informal inquiry that includes the certified employee's response to the allegation(s) involved. The inquiry

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



PROCEDURES FOR INFORMAL ACTIONS – CONTINUED ACKNOWLEDGED ORAL WARNINGS - CONTINUED

must establish and verify the misconduct that warrants this type of action. The administrator will document the action.

- b. **During informal action.** The administrator will meet with the certified employee within a reasonable timeframe and: 1). State his/her reason(s) for proceeding with the informal action; 2). Reference any aggravating factors and mitigating factors that were considered prior to making the decision; and 3). Review the associated documentation with the certified employee.
- c. **After informal action.** The administrator will request written acknowledgement of receipt of the action, and if signature is refused, the refusal will be dated and witnessed on the documentation.

2. Non-certified employees:

- a. **Prior to informal action.** The supervisor will complete an informal inquiry that includes the non-certified employee's response to the allegation(s) involved. The inquiry must establish and verify the misconduct that warrants this type of action. The supervisor will document the action.
- b. **During informal action.** The supervisor will meet with the non-certified employee within a reasonable timeframe and: 1). State his/her reason(s) for proceeding with the informal action; 2). Reference any aggravating factors and mitigating factors that were considered prior to making the decision; and 3). Review the associated documentation with the non-certified employee.
- c. **After informal action.** The supervisor will request written acknowledgement of receipt of the action, and if signature is refused, the refusal will be dated and witnessed on the documentation.

D. Documentation considerations. This informal action must be documented as follows:

1. **Certified employees:** A district-approved template will be used. Documentation must contain the required elements (see [Appendix E](#)).
2. **Non-certified employees:** A district-approved template will be used. Documentation must contain the required elements (see [Appendix E](#)).

E. Post-action rights and responsibilities. Concerns for this informal action include the following:

1. Certified employees:

- a. **Disposition.** Documentation of the action will be retained in an Unofficial Supervisor's File (USF) in the office of the principal or supervisor in "active" status [ARS §39-121.01 (B); SCUSD EHB, EHB-R and GBJ]. Access to USFs will be limited to authorized district officials and those employees authorized to handle them [ARS §39-121.01 (C); SCUSD GBJ]. The district may create subfiles within USFs as appropriate to ensure confidentiality and efficient use of the files [ARS §39-121.01 (C); SCUSD GBJ].
- b. **Review.** The employee will be advised of, and will be permitted to review and comment on, all information of a derogatory nature to be placed in his or her USF [SCUSD GBJ]. The employee may prepare a written reply to such information, and such reply, if any, will be appended to the information in the file [SCUSD GBJ]. The employee may review his or her USF by making written requests to the principal [SCUSD GBJ]. Materials obtained prior to an employee's employment, such as confidential recommendations or interview notes, will not be available for review by the employee [SCUSD GBJ].
- c. **Inquiries.** The district shall maintain all records that are reasonably necessary or appropriate to maintain an accurate knowledge of disciplinary actions, including the

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



PROCEDURES FOR INFORMAL ACTIONS – CONTINUED ACKNOWLEDGED ORAL WARNINGS - CONTINUED

employee responses to all disciplinary actions, involving employees of the district [ARS §39-128; SCUSD GBJ]. The records shall be open to inspection and copying pursuant to ARS §39-121 et seq., unless inspection or disclosure of the records or information in the records is contrary to law [ARS §15-341 (A)(30), §39-121.01 (D), §39-121.03, §39-123, §39-128 and §44-1373; SCUSD GBJ, KDB, KDB-R and KDB-E]. A log of the person(s) inspecting the record and the date of inspection shall be maintained [ARS §39-121.01 (C); SCUSD GBJ, KDB, KDB-R and KDB-E]. Individual members of the Governing Board may only inspect confidential staff files when specifically authorized by the Governing Board, as evidenced by action of a quorum of the Governing Board in a legal meeting properly noticed [SCUSD GBJ].

- a. **Contest.** A complaint relating to an informal, self-remediable action shall not be processed as a grievance or an appeal [SCUSD GBK-R] except in cases of failure to follow the recommended guidelines for issuing the informal action herein.
- b. **Expiration.** The action shall automatically expire for progressive discipline purposes after 3 (three) calendar years if no further policy violations are noted. All associated documentation shall be moved to the “inactive” portion of the file subject to applicable records maintenance provisions under state statute [ARS §15-341 (A)(41) and §39-101 et seq.].
- c. **Withdrawal.** Early withdrawal of the action may be considered if all of the following conditions are met: 1). No further action was taken on the case after a minimum of 1 (one) calendar year; 2). The issuing administrator and/or the current administrator deems the withdrawal appropriate; and 3). The employee submits a signed and dated request to the current administrator outlining the reason(s) why the employee believes the withdrawal is warranted. Additional considerations include the following: 1). The administrator is under no obligation to withdraw the action; 2). A withdrawn action may still be used to justify future progressive action on the same or substantially similar grounds; and 3). Physical removal restrictions may apply under state statute [ARS §15-341 (A)(41) and §39-101 et seq.; SCUSD EHB, EHB-R and KDB]. To withdraw the documentation, the administrator must: 1). Attach the written withdrawal request from the employee to the original document; 2). Move the document from the “active” portion of the file to the “inactive” portion of the file; and 3). Advise the employee in writing that the withdrawal was completed. The certified employee must be informed in writing if the withdrawal request was rejected.

2. Non-certified employees:

- a. **Disposition.** Documentation of the action will be retained in an Unofficial Supervisor's File (USF) in the office of the principal or supervisor in “active” status [ARS §39-121.01 (B); SCUSD EHB, EHB-R and GBJ]. Access to USFs will be limited to authorized district officials and those employees authorized to handle them [ARS §39-121.01 (C); SCUSD GBJ]. The district may create subfiles within USFs as appropriate to ensure confidentiality and efficient use of the files [ARS §39-121.01 (C); SCUSD GBJ].
- b. **Review.** The employee will be advised of, and will be permitted to review and comment on, all information of a derogatory nature to be placed in his or her USF [SCUSD GBJ]. The employee may prepare a written reply to such information, and such reply, if any, will be appended to the information in the file [SCUSD GBJ]. The employee may review his or her USF by making written requests to the principal [SCUSD GBJ]. Materials obtained prior to an employee's employment, such as confidential recommendations or interview notes, will not be available for review by the employee [SCUSD GBJ].

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



PROCEDURES FOR INFORMAL ACTIONS – CONTINUED *ACKNOWLEDGED ORAL WARNINGS - CONTINUED*

- c. **Inquiries.** The district shall maintain all records that are reasonably necessary or appropriate to maintain an accurate knowledge of disciplinary actions, including the employee responses to all disciplinary actions, involving employees of the district [ARS §39-128; SCUSD GBJ]. The records shall be open to inspection and copying pursuant to ARS §39-121 et seq., unless inspection or disclosure of the records or information in the records is contrary to law [ARS §15-341 (A)(30), §39-121.01 (D), §39-121.03, §39-123, §39-128 and §44-1373; SCUSD GBJ, KDB, KDB-R and KDB-E]. A log of the person(s) inspecting the record and the date of inspection shall be maintained [ARS §39-121.01 (C); SCUSD GBJ, KDB, KDB-R and KDB-E]. Individual members of the Governing Board may only inspect confidential staff files when specifically authorized by the Governing Board, as evidenced by action of a quorum of the Governing Board in a legal meeting properly noticed [SCUSD GBJ].
- d. **Contest.** A complaint relating to an informal, self-remediable action shall not be processed as a grievance or an appeal [SCUSD GBK-R and GDQD] except in cases of failure to follow the recommended guidelines for issuing the informal action herein.
- e. **Expiration.** The action shall automatically expire for progressive discipline purposes after 3 (three) calendar years if no further policy violations are noted. All associated documentation shall be moved to the “inactive” portion of the file subject to applicable records maintenance provisions under state statute [ARS §15-341 (A)(41) and §39-101 et seq.].
- f. **Withdrawal.** Early withdrawal of the action may be considered if all of the following conditions are met: 1). No further action was taken on the case after a minimum of 1 (one) calendar year; 2). The issuing supervisor and/or the current supervisor deems the withdrawal appropriate; and 3). The employee submits a signed and dated request to the current supervisor outlining the reason(s) why the employee believes the withdrawal is warranted. Additional considerations include the following: 1). The supervisor is under no obligation to withdraw the action; 2). A withdrawn action may still be used to justify future progressive action on the same or substantially similar grounds; and 3). Physical removal restrictions may apply under state statute [ARS §15-341 (A)(41) and §39-101 et seq.; SCUSD EHB, EHB-R and KDB]. To withdraw the documentation, the supervisor must: 1). Attach the written withdrawal request from the employee to the original document; 2). Move the document from the “active” portion of the file to the “inactive” portion of the file; and 3). Advise the employee in writing that the withdrawal was completed. The non-certified employee must be informed in writing if the withdrawal request was rejected.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



PROCEDURES FOR INFORMAL ACTIONS – CONTINUED WRITTEN WARNINGS

A. **Definition.** A *written warning* is defined as a documented conference between an administrator or supervisor and an employee that is meant to put him or her on notice that the action(s) or behavior(s) involved, if left unremediated, may result in future disciplinary action. This informal action is used when the ECOC violation involved warrants a response that is more severe than an acknowledged oral warning, but less severe than an official reprimand. Although there is no prescribed format for written warnings under state statute, the district-approved procedure must be followed and the events must be documented.

B. **Overview.** Employees facing this type of informal action will receive the following:

1. **Certified employees:**

- a. Representation if applicable.
- b. An informal meeting with his or her administrator in a private location.
- c. An explanation of the allegation(s) involved.
- d. A reasonable amount of time to respond to the allegation(s).
- e. Consideration of the response and all pertinent aggravating factors or mitigating factors in the case prior to making a decision to take informal action.
- f. An explanation of the reason(s) for taking informal action.
- g. The administrator's expectation(s) for self-remediation.
- h. A written, signed copy of the action that includes expectations for correction where applicable.
- i. An opportunity to respond to the action in writing [SCUSD GBJ].
- j. Notification that disciplinary action may result in the future if the same or similar action(s) or behavior(s) are not self-remediated.

2. **Non-certified employees:**

- a. An informal meeting with his or her supervisor in a private location.
- b. An explanation of the allegation(s) involved.
- c. A reasonable amount of time to respond to the allegation(s).
- d. Consideration of the response and all pertinent aggravating factors or mitigating factors in the case prior to making a decision to take informal action.
- e. An explanation of the reason(s) for taking informal action.
- f. The supervisor's expectation(s) for self-remediation.
- g. A written, signed copy of the action.
- h. An opportunity to respond to the action in writing [SCUSD GBJ and GDQD].
- i. Notification that disciplinary action may result in the future if the same or similar action(s) or behavior(s) are not self-remediated.

C. **Procedural considerations.** The workflows for this type of informal action are as follows:

1. **Certified employees:**

- a. **Prior to informal action.** The administrator will complete an informal inquiry that includes the certified employee's response to the allegation(s) involved. The inquiry must establish and verify the misconduct that warrants this type of action. The administrator will document the action.
- b. **During informal action.** The administrator will meet with the certified employee within a reasonable timeframe and: 1). State his/her reason(s) for proceeding with the informal action; 2). Reference any aggravating factors and mitigating factors that were considered prior to making the decision; and 3). Review the associated documentation with the certified employee.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



PROCEDURES FOR INFORMAL ACTIONS – CONTINUED *WRITTEN WARNINGS - CONTINUED*

- c. **After informal action.** The administrator will request written acknowledgement of receipt of the action, and if signature is refused, the refusal will be dated and witnessed on the documentation.

2. **Non-certified employees:**

- a. **Prior to informal action.** The supervisor will complete an informal inquiry that includes the non-certified employee's response to the allegation(s) involved. The inquiry must establish and verify the misconduct that warrants this type of action. The supervisor will document the action.
- b. **During informal action.** The supervisor will meet with the non-certified employee within a reasonable timeframe and: 1). State his/her reason(s) for proceeding with the informal action; 2). Reference any aggravating factors and mitigating factors that were considered prior to making the decision; and 3). Review the associated documentation with the non-certified employee.
- c. **After informal action.** The supervisor will request written acknowledgement of receipt of the action, and if signature is refused, the refusal will be dated and witnessed on the documentation.

D. **Documentation considerations.** This informal action must be documented as follows:

1. **Certified employees:** A district-approved template will be used. Documentation must contain the required elements (see [Appendix F](#)).
2. **Non-certified employees:** A district-approved template will be used. Documentation must contain the required elements (see [Appendix F](#)).

E. **Post-action rights and responsibilities.** Concerns for this informal action include the following:

1. **Certified employees:**

- a. **Disposition.** Documentation of the action will be retained in an Unofficial Supervisor's File (USF) in the office of the principal or supervisor in "active" status [ARS §39-121.01 (B); SCUSD EHB, EHB-R and GBJ]. Access to USFs will be limited to authorized district officials and those employees authorized to handle them [ARS §39-121.01 (C); SCUSD GBJ]. The district may create subfiles within USFs as appropriate to ensure confidentiality and efficient use of the files [ARS §39-121.01 (C); SCUSD GBJ].
- b. **Review.** The employee will be advised of, and will be permitted to review and comment on, all information of a derogatory nature to be placed in his or her USF [SCUSD GBJ]. The employee may prepare a written reply to such information, and such reply, if any, will be appended to the information in the file [SCUSD GBJ]. The employee may review his or her USF by making written requests to the principal [SCUSD GBJ]. Materials obtained prior to an employee's employment, such as confidential recommendations or interview notes, will not be available for review by the employee [SCUSD GBJ].
- c. **Inquiries.** The district shall maintain all records that are reasonably necessary or appropriate to maintain an accurate knowledge of disciplinary actions, including the employee responses to all disciplinary actions, involving employees of the district [ARS §39-128; SCUSD GBJ]. The records shall be open to inspection and copying pursuant to ARS §39-121 et seq., unless inspection or disclosure of the records or information in the records is contrary to law [ARS §15-341 (A)(30), §39-121.01 (D), §39-121.03, §39-123, §39-128 and §44-1373; SCUSD GBJ, KDB, KDB-R and KDB-E]. A log of the person(s) inspecting the record and the date of inspection

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



PROCEDURES FOR INFORMAL ACTIONS – CONTINUED WRITTEN WARNINGS - CONTINUED

- shall be maintained [ARS §39-121.01 (C); SCUSD GBJ, KDB, KDB-R and KDB-E]. Individual members of the Governing Board may only inspect confidential staff files when specifically authorized by the Governing Board, as evidenced by action of a quorum of the Governing Board in a legal meeting properly noticed [SCUSD GBJ].
- d. **Contest.** A complaint relating to an informal, self-remediable action shall not be processed as a grievance or an appeal [SCUSD GBK-R] except in cases of failure to follow the recommended guidelines for issuing the informal action herein.
 - e. **Expiration.** The action shall automatically expire for progressive discipline purposes after 3 (three) calendar years if no further policy violations are noted. All associated documentation shall be moved to the “inactive” portion of the file subject to applicable records maintenance provisions under state statute [ARS §15-341 (A)(41) and §39-101 et seq.].
 - f. **Withdrawal.** Early withdrawal of the action may be considered if all of the following conditions are met: 1). No further action was taken on the case after a minimum of 1 (one) calendar year; 2). The issuing administrator and/or the current administrator deems the withdrawal appropriate; and 3). The employee submits a signed and dated request to the current administrator outlining the reason(s) why the employee believes the withdrawal is warranted. Additional considerations include the following: 1). The administrator is under no obligation to withdraw the action; 2). A withdrawn action may still be used to justify future progressive action on the same or substantially similar grounds; and 3). Physical removal restrictions may apply under state statute [ARS §15-341 (A)(41) and §39-101 et seq.; SCUSD EHB, EHB-R and KDB]. To withdraw the documentation, the administrator must: 1). Attach the written withdrawal request from the employee to the original document; 2). Move the document from the “active” portion of the file to the “inactive” portion of the file; and 3). Advise the employee in writing that the withdrawal was completed. The certified employee must be informed in writing if the withdrawal request was rejected.

2. Non-certified employees:

- a. **Disposition.** Documentation of the action will be retained in an Unofficial Supervisor's File (USF) in the office of the principal or supervisor in “active” status [ARS §39-121.01 (B); SCUSD EHB, EHB-R and GBJ]. Access to USFs will be limited to authorized district officials and those employees authorized to handle them [ARS §39-121.01 (C); SCUSD GBJ]. The district may create subfiles within USFs as appropriate to ensure confidentiality and efficient use of the files [ARS §39-121.01 (C); SCUSD GBJ].
- b. **Review.** The employee will be advised of, and will be permitted to review and comment on, all information of a derogatory nature to be placed in his or her USF [SCUSD GBJ]. The employee may prepare a written reply to such information, and such reply, if any, will be appended to the information in the file [SCUSD GBJ]. The employee may review his or her USF by making written requests to the principal [SCUSD GBJ]. Materials obtained prior to an employee's employment, such as confidential recommendations or interview notes, will not be available for review by the employee [SCUSD GBJ].
- c. **Inquiries.** The district shall maintain all records that are reasonably necessary or appropriate to maintain an accurate knowledge of disciplinary actions, including the employee responses to all disciplinary actions, involving employees of the district [ARS §39-128; SCUSD GBJ]. The records shall be open to inspection and copying pursuant to ARS §39-121 et seq., unless inspection or disclosure of the records or information in the records is contrary to law [ARS §15-341 (A)(30), §39-121.01 (D), §39-121.03, §39-123, §39-128 and §44-1373; SCUSD GBJ, KDB, KDB-R and

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



PROCEDURES FOR INFORMAL ACTIONS – CONTINUED *WRITTEN WARNINGS - CONTINUED*

- KDB-E]. A log of the person(s) inspecting the record and the date of inspection shall be maintained [ARS §39-121.01 (C); SCUSD GBJ, KDB, KDB-R and KDB-E]. Individual members of the Governing Board may only inspect confidential staff files when specifically authorized by the Governing Board, as evidenced by action of a quorum of the Governing Board in a legal meeting properly noticed [SCUSD GBJ].
- d. **Contest.** A complaint relating to an informal, self-remediable action shall not be processed as a grievance or an appeal [SCUSD GBK-R and GDQD] except in cases of failure to follow the recommended guidelines for issuing the informal action herein.
 - e. **Expiration.** The action shall automatically expire for progressive discipline purposes after 3 (three) calendar years if no further policy violations are noted. All associated documentation shall be moved to the “inactive” portion of the file subject to applicable records maintenance provisions under state statute [ARS §15-341 (A)(41) and §39-101 et seq.].
 - f. **Withdrawal.** Early withdrawal of the action may be considered if all of the following conditions are met: 1). No further action was taken on the case after a minimum of 1 (one) calendar year; 2). The issuing supervisor and/or the current supervisor deems the withdrawal appropriate; and 3). The employee submits a signed and dated request to the current supervisor outlining the reason(s) why the employee believes the withdrawal is warranted. Additional considerations include the following: 1). The supervisor is under no obligation to withdraw the action; 2). A withdrawn action may still be used to justify future progressive action on the same or substantially similar grounds; and 3). Physical removal restrictions may apply under state statute [ARS §15-341 (A)(41) and §39-101 et seq.; SCUSD EHB, EHB-R and KDB]. To withdraw the documentation, the supervisor must: 1). Attach the written withdrawal request from the employee to the original document; 2). Move the document from the “active” portion of the file to the “inactive” portion of the file; and 3). Advise the employee in writing that the withdrawal was completed. The non-certified employee must be informed in writing if the withdrawal request was rejected.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



PROCEDURES FOR ADMINISTRATIVE LEAVE ACTIONS

- A. **Definition.** An *administrative action* is defined as a voluntary or involuntary separation from service on a temporary basis with pay for non-disciplinary purposes (e.g., when the employee may create a hazard situation during a pending investigation or is otherwise subject to a pending action). Only the superintendent or his/her designee(s) may take this type of action.
- B. **Overview.** In accordance with state statute and/or district policy, administrative action may be taken under the following circumstances:
1. **Certified employees:**
 - a. **Pre-suspension (major) or pre-dismissal.** Upon a written statement of charges adopted by the Governing Board charging a certified employee with cause for suspension without pay for more than 10 (ten) business days or dismissal, the Governing Board may immediately place the certified employee on administrative leave of absence [ARS §15-341 (22) and §15-540 (A); SCUSD GCQF-E].
 - b. **Allegations of immoral or unprofessional conduct.** Any certificated person or Governing Board member who reasonably suspects or receives a reasonable allegation that a person certificated by the Arizona State Board of Education has engaged in conduct involving minors that would be subject to the reporting requirements of section ARS §13-3620 shall report or cause reports to be made to the Arizona Department of Education in writing as soon as is reasonably practicable but not later than 3 (three) business days after the person first suspects or receives an allegation of the conduct [ARS §15-341 (22) and §15-514 (A); SCUSD GCQF-E]. The superintendent of a school district or the chief administrator of a charter school who reasonably suspects or receives a reasonable allegation that an act of immoral or unprofessional conduct that would constitute grounds for dismissal or criminal charges by a certified employee has occurred shall report the conduct to the Arizona Department of Education [ARS §15-341 (22) and §15-514 (B); SCUSD GCQF-E]. Whenever the superintendent presents a statement of charges wherein the alleged cause for dismissal constitutes immoral or unprofessional conduct, the Governing Board may adopt a resolution that a complaint be filed with the Arizona Department of Education [ARS §15-341 (22) and §15-539 (B); SCUSD GCQF-E]. Pending disciplinary action by the Arizona State Board of Education, the certified employee may be reassigned by the superintendent or placed on administrative leave by the Governing Board pursuant to ARS §15-540 [ARS §15-341 (22) and §15-539 (B); SCUSD GCQF-E].
 - c. **Indictment on criminal complaint.** If any certified employee is charged by criminal complaint, information or indictment with any criminal offense which would be deemed cause for dismissal, the Governing Board may immediately place the certified employee on compulsory leave of absence for a period of time extending for not more than 10 (ten) calendar days after the date of the entry of the judgment in the proceedings [ARS §15-341 (22) and §15-549 (A)].
 2. **Non-certified employees:**
 - a. **Pre-suspension (major) or pre-dismissal.** The superintendent/designee may immediately reassign the non-certified employee to home pending the outcome of the matter.
 - b. **Allegations of immoral or unprofessional conduct.** See above.
 - c. **Indictment on criminal complaint.** See above.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



PROCEDURES FOR ADMINISTRATIVE ACTIONS – CONTINUED

C. **Procedural considerations.** An employee facing this action should receive the following:

1. **Certified employees:**

- a. **Pre-suspension (major) or pre-dismissal.** The notice of administrative leave of absence shall be in writing and be served upon the certified employee personally or by United States registered mail addressed to the administrator at his last known address [ARS §15-341 (22) and §15-540 (B)].
- b. **Allegations of immoral or unprofessional conduct.** See above.
- c. **Indictment on criminal complaint.** See above.

2. **Non-certified employees:**

- a. **Pre-suspension (major) or pre-dismissal.** The notice of assignment to home will be in writing and will be served upon the non-certified employee personally or by United States registered mail addressed to the term contract staff member at his last known address.
- b. **Allegations of immoral or unprofessional conduct.** See above.
- c. **Indictment on criminal complaint.** See above.

D. **Documentation considerations.** This formal action must be documented as follows:

1. **Certified employees:** Documentation must contain the required elements and must be prepared on behalf of the office of the superintendent.
2. **Non-certified employees.** Documentation must contain the required elements and must be prepared on behalf of the office of the superintendent.

E. **Post-action rights and responsibilities.** Concerns for this formal action include the following:

1. **Certified employees:**

- a. **Pre-suspension (major) or pre-dismissal.** Any certified employee who is placed on administrative leave of absence pursuant to ARS §15-540 shall continue to be paid regular salary during the period of administrative leave of absence [ARS §15-341 (22) and §15-540 (C)]. If a certified employee who has been employed by the district for more than the major portion of 3 (three) consecutive school years is placed on administrative leave of absence pending a hearing, he or she shall be reinstated within [5 (five) calendar days after the Governing Board renders a decision not to suspend without pay or to dismiss [ARS §15-542 (C)]].
- b. **Allegations of immoral or unprofessional conduct.** The certified employee shall continue to be paid regular salary during the period of reassignment or administrative leave.
- c. **Indictment on criminal complaint.** Any certified employee placed upon compulsory leave of absence pursuant to ARS §15-549 shall continue to be paid regular salary during the period of compulsory leave of absence [ARS §15-341 (22) and §15-549 (B)].

2. **Non-certified employees:**

- a. **Pre-suspension (major) or pre-dismissal.** Any non-certified employee who is assigned to home shall continue to be paid regular salary during the period of assignment to home. The non-certified employee will be reinstated within [5 (five) calendar days after a decision not to suspend without pay or to dismiss.
- b. **Allegations of immoral or unprofessional conduct.** See above.
- c. **Indictment on criminal complaint.** See above.

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ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



PROCEDURES FOR FORMAL DISCIPLINARY ACTIONS OFFICIAL REPRIMANDS

- A. **Definition.** An *official reprimand* is defined as a statement of censure for misconduct of such concern that a permanent record of the incident(s) needs to be established. This formal action is used when the ECOC violation involved warrants a response that is more severe than an informal written warning, but a less severe than a formal suspension. Official reprimands require the level of due process outlined in state statute and district policy for administrators and teachers, and only the superintendent or his/her designee(s) may issue this type of employee discipline.
- B. **Overview.** Employees facing this type of formal disciplinary action will receive the following:
1. **Certified employees:** The Governing Board shall prescribe and enforce policies and procedures for disciplinary action against a certified employee who engages in conduct that is a violation of the policies of the Governing Board but that is not cause for dismissal of the certified employee or for revocation of the certificate of the certified employee [ARS §15-341 (21) and (22); SCUSD GCQF]. The procedures shall include notice, hearing and appeal provisions for violations that are cause for disciplinary action [ARS §15-341 (21) and (22); SCUSD GCQF] that: 1). shall become a part of the certified employee's personnel record; and 2). Is permitted under ARS §15-341 [SCUSD GCQF]. The Governing Board may designate person(s) to act on behalf of the Governing Board on these matters [ARS §15-341 (21) and (22)]. All required notices shall be in writing and shall be served on the certified employee personally or by United States mail [SCUSD GCQF].
 2. **Non-certified employees:** The Governing Board shall prescribe and enforce policies and procedures for disciplinary action against a non-certified employee who engages in conduct that is a violation of the policies of the Governing Board but that is not cause for dismissal of the non-certified employee. All required notices shall be in writing and shall be served on the non-certified employee personally or by United States mail.
- C. **Procedural considerations.** An employee facing this formal disciplinary action should receive the following:
1. **Certified employees:**
 - a. **Prior to disciplinary action.** The superintendent/designee will complete a formal investigation of the incident(s). The case facts must support a decision to seek this type of formal disciplinary action. During the pendency of any hearing, neither the 'term' contract staff member nor the supervisor shall contact the superintendent, a Governing Board member or any person designated to act as a hearing officer to discuss the merits of the charges or the recommendation for disciplinary action [SCUSD GCQF].
 - b. **During disciplinary action.** Upon the determination of cause to take disciplinary action, the superintendent/designee will notify the certified employee of intent to impose discipline in writing [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF]. The notice shall include the following: 1). The conduct or omission on the part of the certified employee that constitutes the reason for discipline; 2). A meeting time between the superintendent/designee and the certified employee, which shall be scheduled not less than 2 (two) business days nor more than 10 (ten) business days after the date that the administrator receives the notice; 3). A statement of the disciplinary action that the superintendent/designee intends to impose; and 4). Copies of any available relevant documentation at the discretion of the superintendent/designee [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF]. At the hearing, the superintendent/designee will discuss the conduct that warrants disciplinary action with the certified employee and will provide the certified

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PROCEDURES FOR DISCIPLINARY ACTIONS – CONTINUED OFFICIAL REPRIMANDS - CONTINUED

employee with any appropriate evidence and a copy of any relevant documentation not previously provided [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF].

The superintendent/designee shall conduct the hearing without adherence to the rules of evidence and procedure required in judicial proceedings [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF].

- c. **After disciplinary action.** At the hearing, or within 10 (ten) business days afterward, the superintendent/designee shall inform the certified employee of the decision in writing [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF]. If the decision is to impose discipline, written notice of the discipline shall be enclosed [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF]. The written notice of the decision shall state that a copy of the notice, decision and a record of the disciplinary action shall be placed in the certified employee's Official Personnel File (OPF) unless he or she files a written request for appeal within 5 (five) business days after the decision is delivered [ARS §15-341 (21) and (22); SCUSD GCQF]. If the certified employee requests an appeal of the decision, the imposition of the discipline shall be postponed pending the outcome of the appeal [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF].

2. **Non-certified employees:**

- a. **Prior to disciplinary action.** The supervisor will complete a formal investigation of the incident(s) that includes the verbal or written response of the non-certified employee to the allegation(s) involved. The case facts must support a decision to seek this type of formal disciplinary action. The supervisor will document the action.
- b. **During disciplinary action.** The supervisor will meet with the non-certified employee within a reasonable timeframe and: 1). State his/her reason(s) for proceeding with disciplinary action; 2). Reference any aggravating factors and mitigating factors that were considered prior to making the decision; and 3). Review the associated documentation with the non-certified employee.
- c. **After disciplinary action.** The supervisor will request written acknowledgement of receipt of the action, and if signature is refused, the refusal will be dated and witnessed on the documentation.

D. **Documentation considerations.** This formal disciplinary action must be documented as follows:

1. **Certified employees:** A district-approved template will be used. Documentation must contain the required elements.
2. **Non-certified employees:** A district-approved template should be used. Documentation must contain the required elements.

E. **Post-disciplinary rights and responsibilities.** Concerns for this formal disciplinary action include the following:

1. **Certified employees:**

- a. **Disposition.** Documentation of the action will be retained in an Official Personnel File (OPF) in the central office in "active" status [ARS §15-341 (41) and §39-121.01 (B); SCUSD EHB, EHB-R and GBJ]. Access to OPFs will be limited to authorized district officials and those employees authorized to handle them [ARS §39-121.01 (C); SCUSD GBJ]. The district may create subfiles within OPFs as appropriate to

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



PROCEDURES FOR DISCIPLINARY ACTIONS – CONTINUED OFFICIAL REPRIMANDS - CONTINUED

ensure confidentiality and efficient use of the files [ARS §39-121.01 (C); SCUSD GBJ].

- b. **Review.** The employee will be advised of, and will be permitted to review and comment on, all information of a derogatory nature to be placed in his or her OPF [SCUSD GBJ]. The employee may prepare a written reply to such information, and such reply, if any, will be appended to the information in the OPF [SCUSD GBJ]. The employee may review his or her OPF by making a written request to the superintendent [SCUSD GBJ]. Materials obtained prior to the employee's employment, such as confidential recommendations or interview notes, will not be available for review by the employee [SCUSD GBJ].
- c. **Inquiries.** The district shall maintain all records that are reasonably necessary or appropriate to maintain an accurate knowledge of disciplinary actions, including the employee responses to all disciplinary actions, involving employees of the district [ARS §39-128; SCUSD GBJ]. The records shall be open to inspection and copying pursuant to ARS §39-121 et seq., unless inspection or disclosure of the records or information in the records is contrary to law [ARS §15-341 (A)(30), §39-121.01 (D), §39-121.03, §39-123, §39-128 and §44-1373; SCUSD GBJ, KDB, KDB-R and KDB-E]. A log of the person(s) inspecting the record and the date of inspection shall be maintained [ARS §39-121.01 (C); SCUSD GBJ, KDB, KDB-R and KDB-E]. Individual members of the Governing Board may only inspect confidential staff files when specifically authorized by the Governing Board, as evidenced by action of a quorum of the Governing Board in a legal meeting properly noticed [SCUSD GBJ].
- d. **Contest.** Discipline imposed may be appealed at the next organizational level, in writing, to the appropriate superintendent/designee [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF]. Only when the discipline is determined by the superintendent shall the appeal be to the Governing Board, which, at its discretion, may appoint a hearing officer [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF] to hear the appeal. Appeal is limited to 1 (one) organizational level above the level of the supervising administrator who imposed the discipline [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF]. The appeal shall contain a brief statement of the reasons why the certificated staff member believes the disciplinary decision was incorrect [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF]. The appeal shall specifically describe the part of the determination with which the certified employee disagrees: 1). The determination was founded upon error of construction or application of any pertinent regulations or policies; 2). The determination was unsupported by any evidence as disclosed by the entire record; 3). The determination was materially affected by unlawful procedure; 4). The determination was based on violation of any statutory or constitutional right; 5). The determination was arbitrary and capricious; or 6). The penalty was excessive [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF]. A record of the proceedings shall be made by use of a mechanical device [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF]. The supervising administrator, the superintendent, or, when appropriate, the Governing Board or the Governing Board-appointed hearing officer may, at the conclusion of the appeal, uphold the discipline, modify the decision, or refer the matter back to the level from which it was appealed for rehearing and additional information [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF]. Such decision, along with specific direction as to the effective date of any discipline, shall be communicated to the certified employee within a reasonable amount of time following the appeal, not to exceed 7 (seven) business days [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF].
- e. **Expiration.** Not available.

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PROCEDURES FOR DISCIPLINARY ACTIONS – CONTINUED OFFICIAL REPRIMANDS - CONTINUED

- f. **Withdrawal.** Not available; the documentation may only be physically removed in accordance with state statute [ARS §15-341 (A)(41) and §39-101 et seq.; SCUSD EHB, EHB-R and KDB].
2. **Non-certified employees:**
- a. **Disposition.** Documentation of the action will be retained in an Official Personnel File (OPF) in the central office in “active” status [ARS §15-341 (41) and §39-121.01 (B); SCUSD EHB, EHB-R and GBJ]. Access to OPFs will be limited to authorized district officials and those employees authorized to handle them [ARS §39-121.01 (C); SCUSD GBJ]. The district may create subfiles within OPFs as appropriate to ensure confidentiality and efficient use of the files [ARS §39-121.01 (C); SCUSD GBJ].
 - b. **Review.** The employee will be advised of, and will be permitted to review and comment on, all information of a derogatory nature to be placed in his or her OPF [SCUSD GBJ]. The employee may prepare a written reply to such information, and such reply, if any, will be appended to the information in the OPF [SCUSD GBJ]. The employee may review his or her OPF by making a written request to the superintendent [SCUSD GBJ]. Materials obtained prior to the employee's employment, such as confidential recommendations or interview notes, will not be available for review by the employee [SCUSD GBJ].
 - c. **Inquiries.** The district shall maintain all records that are reasonably necessary or appropriate to maintain an accurate knowledge of disciplinary actions, including the employee responses to all disciplinary actions, involving employees of the district [ARS §39-128; SCUSD GBJ]. The records shall be open to inspection and copying pursuant to ARS §39-121 et seq., unless inspection or disclosure of the records or information in the records is contrary to law [ARS §15-341 (A)(30), §39-121.01 (D), §39-121.03, §39-123, §39-128 and §44-1373; SCUSD GBJ, KDB, KDB-R and KDB-E]. A log of the person(s) inspecting the record and the date of inspection shall be maintained [ARS §39-121.01 (C); SCUSD GBJ, KDB, KDB-R and KDB-E]. Individual members of the Governing Board may only inspect confidential staff files when specifically authorized by the Governing Board, as evidenced by action of a quorum of the Governing Board in a legal meeting properly noticed [SCUSD GBJ].
 - d. **Contest.** A complaint relating to ‘minor’ disciplinary action shall not be processed as a grievance [SCUSD GBK-R and GDQD]. The supervisor's superior will review the complaint and may confer with the support staff member, the supervisor, and such other persons as the supervisor's superior deems necessary [SCUSD GDQD]. The decision of the supervisor's superior will be final [SCUSD GDQD].
 - e. **Expiration.** Not available.
 - f. **Withdrawal.** Not available; the documentation may only be physically removed in accordance with state statute [ARS §15-341 (A)(41) and §39-101 et seq.; SCUSD EHB, EHB-R and KDB].

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PROCEDURES FOR DISCIPLINARY ACTIONS – CONTINUED SUSPENSIONS

- A. **Definition.** A *suspension* is defined as an involuntary separation from service on a temporary basis without pay for disciplinary purposes as a significant consequence for either a serious lapse of judgment or for misconduct of such concern that the district must ensure that the employee understands that a repeat incident is likely to result in dismissal. This formal action is used when the ECOC violation involved warrants a response that is more severe than an official reprimand, but a less severe than a dismissal. Suspensions require the level of due process outlined in state statute and district policy for administrators and teachers, and only the superintendent or his/her designee(s) may issue this type of employee discipline.
- B. **Overview.** Employees facing this type of formal disciplinary action will receive the following:
1. **Certified employees:** The Governing Board shall prescribe and enforce policies and procedures for disciplinary action against a certified employee who engages in conduct that is a violation of the policies of the Governing Board that is not cause for dismissal of the certified employee or for revocation of the certificate of the certified employee [ARS §15-341 (21), §15-341 (22) and §15-342 (15); SCUSD GCQF]. The procedures shall include notice, hearing and appeal provisions for violations that are cause for disciplinary action [ARS §15-341 (21), §15-341 (22) and §15-342 (15); SCUSD GCQF] that: 1). shall become a part of the certified employee's personnel record; and 2). Is permitted under ARS §15-341 [SCUSD GCQF]. The Governing Board may designate person(s) to act on behalf of the Governing Board on these matters [ARS §15-341 (21), §15-341 (22) and §15-342 (15); SCUSD GCQF]. All required notices shall be in writing and shall be served on the certified employee personally or by United States mail [SCUSD GCQF].
 - a. **Suspensions (minor).** Disciplinary action shall not include suspension with pay or suspension without pay for a period of time longer than 10 (ten) business days [ARS §15-341 (21), §15-341 (22), §15-342 (15) and §15-501 (7); SCUSD GCQF] under ARS §15-341.
 - b. **Suspensions (major).** For violations that are cause for suspension without pay for a period of time greater than 10 (ten) business days, the provisions of notice, hearing and appeal in ARS §15 Chapter 5, Article 3 shall apply [SCUSD GCQF]. All required notices shall be in writing and shall be served on the certified employee personally or by United States registered or certified mail addressed to the certified employee's last known address [ARS §15-539 (F); SCUSD GCQF].
 2. **Non-certified employees:** The Governing Board shall prescribe and enforce policies and procedures for disciplinary action against a non-certified employee who engages in conduct that is a violation of the policies of the Governing Board but that is not cause for dismissal of the non-certified employee.
 - a. **Suspensions (minor).** Disciplinary action shall not include suspension with pay or suspension without pay for a period of time longer than 5 (five) business days [by action of the superintendent for any conduct that, in the judgment of the superintendent, is inappropriate [SCUSD GDQD]].
 - b. **Suspensions (major).**
 - i. **Term contract staff members:** The employment of a term employee may be suspended without pay for a period of more than 5 (five) business days by action of the superintendent for any conduct that, in the judgment of the superintendent, is inappropriate [SCUSD GDQD].
 - ii. **At-will staff members:** The employment of an at-will employee may be suspended without pay for a period of more than 5 (five) business days by action of the superintendent for any conduct that, in the judgment of the superintendent, is inappropriate [SCUSD GDQD].

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PROCEDURES FOR DISCIPLINARY ACTIONS – CONTINUED *SUSPENSIONS - CONTINUED*

C. **Procedural considerations.** An employee facing this formal disciplinary action should receive the following:

1. **Certified employees:**

a. **Suspensions, minor (ten business days or less).**

- i. **Prior to disciplinary action.** The superintendent/designee will complete a formal investigation of the incident(s). The case facts must support a decision to seek this type of formal disciplinary action. During the pendency of any hearing, neither the term contract staff member nor the supervisor shall contact the superintendent, a Governing Board member or any person designated to act as a hearing officer to discuss the merits of the charges or the recommendation for disciplinary action [SCUSD GCQF].
- ii. **During disciplinary action.** Upon the determination of cause to take disciplinary action, the superintendent/designee will notify the certified employee of intent to impose discipline in writing [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF]. The notice shall include the following: 1). The conduct or omission on the part of the certified employee that constitutes the reason for discipline; 2). A meeting time between the superintendent/designee and the certified employee, which shall be scheduled not less than 2 (two) business days nor more than 10 (ten) business days after the date that the administrator receives the notice; 3). A statement of the disciplinary action that the superintendent/designee intends to impose; and 4). Copies of any available relevant documentation at the discretion of the superintendent/designee [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF]. At the hearing, the superintendent/hearing officer will discuss the conduct that warrants disciplinary action with the certified employee and will provide the certified employee with any appropriate evidence and a copy of any relevant documentation not previously provided [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF]. The superintendent/hearing officer shall conduct the hearing without adherence to the rules of evidence and procedure required in judicial proceedings [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF].
- iii. **After disciplinary action.** At the end of the meeting, or within 10 (ten) business days afterward, the superintendent/designee shall inform the certified employee of the decision in writing [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF]. If the decision is to impose discipline, written notice of the discipline shall be enclosed [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF]. The written notice of the decision shall state that a copy of the notice, decision and a record of the disciplinary action shall be placed in the certified employee's Official Personnel File (OPF) unless he or she files a written request for appeal within 5 (five) business days after the decision is delivered [ARS §15-341 (21) and (22); SCUSD GCQF]. If the certified employee requests an appeal of the decision, the imposition of the discipline shall be postponed pending the outcome of the appeal [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF].

b. **Suspensions, major (over ten business days).**

- i. **Prior to disciplinary action.** Cases initiated at the building or site level must be referred to the superintendent/designee [SCUSD GCQF]. The superintendent/designee will complete a formal investigation of the

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PROCEDURES FOR DISCIPLINARY ACTIONS – CONTINUED *SUSPENSIONS - CONTINUED*

- incident(s). The case facts must support a decision to seek this type of formal disciplinary action [SCUSD GCQF]. [Administrative action](#) with pay may be taken before, during, after, or in the absence of the proceedings. During the pendency of any hearing, neither the certified employee nor the supervisor shall contact the superintendent, a Governing Board member or any person designated to act as a hearing officer to discuss the merits of the charges or the recommendation for disciplinary action [SCUSD GCQF].
- ii. **During disciplinary action.** On a written statement of charges presented by the superintendent, charging that there exists cause for the suspension without pay for a period of time greater than 10 (ten) business days of a certified employee of the district, the Governing Board, except as otherwise provided in ARS §15 Chapter 5, Article 3, shall give notice to the teacher of its intent to suspend without pay the certified employee at the expiration of 10 (ten) calendar days from the date of the service of the notice [ARS §15-539 (A); SCUSD GCQF and GCQF-E]. Any written statement of charges alleging unprofessional conduct or conduct in violation of the rules or policies of the Governing Board shall specify instances of behavior and the acts or omissions constituting the charge so that the certified employee will be able to prepare a defense [ARS §15-539 (E); SCUSD GCQF]. If applicable, it shall state the statute(s) or rule(s) of the Governing Board that the certificated teacher is alleged to have violated and set forth the facts relevant to each occasion of alleged unprofessional conduct, conduct in violation of the rules or policies of the Governing Board [ARS §15-539 (E); SCUSD GCQF]. A copy of the charges, together with a copy of ARS §15-539 and ARS §15-501, §15-538.01, §15-540, §15-541, §15-542 and §15-544 through §15-547, shall be attached to the notice [ARS §15-539 (F); SCUSD GCQF]. The certified employee who receives notice that there exists cause for suspension without pay shall have the right to a hearing if the certified employee files a written request with the Governing Board within 10 (ten) calendar days of service of notice [ARS §15-539 (G); SCUSD GCQF]. The Governing Board shall decide whether to hold a hearing on the suspension without pay for a period of time longer than 10 (ten) business days of a certified employee as provided in ARS §15 Chapter 5, Article 3 [ARS §15-541 (A); SCUSD GCQF]. If the Governing Board decides not to hold a hearing, the Governing Board shall designate a hearing officer to hold the hearing, hear the evidence, prepare a record and issue a recommendation to the Governing Board for action [ARS §15-541 (A); SCUSD GCQF]. The Governing Board may provide by policy or vote at its annual organizational meeting that all hearings conducted pursuant to this section shall be conducted before a hearing officer [ARS §15-541 (A); SCUSD GCQF]. A hearing held pursuant to ARS §15-541 may not be conducted by any hearing officer having a personal interest which would conflict with the hearing officer's objectivity in the hearing [ARS §15-541 (B); SCUSD GCQF]. The hearing officer shall be mutually agreed upon by the parties to the hearing [ARS §15-541 (A)]. If the parties cannot mutually agree on a hearing officer, a hearing officer shall be selected by the Governing Board from a list provided by the Arizona Department of Education or the American Arbitration Association [ARS §15-541 (A); SCUSD GCQF]. The hearing shall be held not less than 15 (fifteen) calendar days nor more than 30 (thirty) calendar days after the request is filed unless all parties to the hearing mutually agree to a different hearing date, and notice of the

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PROCEDURES FOR DISCIPLINARY ACTIONS – CONTINUED *SUSPENSIONS - CONTINUED*

time and place of the hearing shall be given to the certified employee not less than 3 (three) calendar days before the date of the hearing [ARS §15-541 (A); SCUSD GCQF]. The certified employee may request that the hearing be conducted in public or private [ARS §15-541 (A); SCUSD GCQF]. At the hearing the certified employee may appear in person and by counsel, if desired, and may present any testimony, evidence or statements, either oral or in writing, in the certified employee's behalf [ARS §15-541 (A); SCUSD GCQF]. The teacher will have the right to present witness(es) on his or her behalf and to cross-examine witnesses at the hearing [SCUSD GCQF]. No witness shall be permitted to testify at the hearing except upon oath or affirmation [ARS §15-542 (B); SCUSD GCQF]. The Governing Board or hearing officer shall keep confidential the name of a pupil involved in a hearing regarding discipline of a district employee [ARS §15-551 (A); SCUSD GCQF and GCQF-E]. The Governing Board or the hearing officer shall prepare an official record of the hearing, including all testimony recorded manually or by mechanical device, and exhibits [ARS §15-541 (A) and §38-424; SCUSD GCQF]. The certified employee who is the subject of the hearing may not request that the testimony be transcribed unless the certified employee agrees in writing to pay the actual cost of the transcription [ARS §15-541 (A); SCUSD GCQF]. The certified employee will have the right to a copy of the record at district expense [SCUSD GCQF].

- iii. **After disciplinary action.** Within 10 (ten) calendar days after a hearing conducted by the Governing Board, the Governing Board shall determine whether there existed good and just cause for the notice of suspension and shall render its decision accordingly, either affirming or withdrawing the notice of suspension [ARS §15-541 (A); SCUSD GCQF]. Within 10 (ten) calendar days after a hearing conducted by a hearing officer, the hearing officer shall deliver a written recommendation to the Governing Board that includes findings of fact and conclusions [ARS §15-541 (A); SCUSD GCQF]. The Governing Board has an additional 10 (ten) calendar days to determine whether good and just cause existed for the notice of suspension and shall render its decision accordingly, either affirming or withdrawing the notice of suspension [ARS §15-541 (B); SCUSD GCQF]. Parties to the hearing have the right to object to the findings of the hearing officer and present oral and written arguments to the Governing Board [ARS §15-541 (A); SCUSD GCQF]. The Governing Board shall pay all expenses of the hearing [ARS §15-542 (A); SCUSD GCQF]. The certified employee and the Governing Board shall pay their own attorney and witness fees [ARS §15-542 (A); SCUSD BDG and GCQF]. If the Governing Board does not suspend the certified employee, the Governing Board shall pay all reasonable attorney and witness fees incurred by the certified employee [ARS §15-542 (A); SCUSD BDG and GCQF].

2. **Non-certified employees:**

a. **Suspensions, minor (five business days or less).**

- i. **Prior to disciplinary action.** The supervisor will complete a formal investigation of the incident(s) that includes the verbal or written response of the non-certified employee to the allegation(s) involved. The case facts must support a decision to seek this type of formal disciplinary action. The supervisor will document the action.

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PROCEDURES FOR DISCIPLINARY ACTIONS – CONTINUED *SUSPENSIONS – CONTINUED*

- ii. **During disciplinary action.** The supervisor will meet with the non-certified employee within a reasonable timeframe and: 1). State his/her reason(s) for proceeding with disciplinary action; 2). Reference any aggravating factors and mitigating factors that were considered prior to making the decision; and 3). Review the associated documentation with the non-certified employee.
 - iii. **After disciplinary action.** The supervisor will request written acknowledgement of receipt of the action, and if signature is refused, the refusal will be dated and witnessed on the documentation.
- b. **Suspensions, major (over ten business days).**
- i. **Term contract staff members:**
 - 1. **Prior to disciplinary action.** Cases initiated at the building or site level must be referred to the superintendent/designee. The superintendent/designee will complete a formal investigation of the incident(s). The case facts must support a decision to seek this type of formal disciplinary action. [Administrative action](#) with pay may be taken before, during, after, or in the absence of the proceedings. During the pendency of any hearing, neither the term contract staff member nor the supervisor shall contact the superintendent, a Governing Board member or any person designated to act as a hearing officer to discuss the merits of the charges or the recommendation for disciplinary action.
 - 2. **During disciplinary action.** If the superintendent recommends suspension of a term employee for more than 5 (five) business days, a copy of the recommendation shall be delivered to the term employee [SCUSD GDQD]. The employee may request a hearing within 5 (five) business days after receipt of the recommendation [SCUSD GDQD]. If a hearing is requested, the superintendent shall deliver a written notice of the time and place of the hearing and a written statement that gives the reason(s) for the recommendation, a list of persons whom the superintendent expects to testify in support of the recommendation (together with a brief summary of what each person is expected to say), and a general description of any other evidence that the superintendent at the time believes may be presented at the hearing in support of the recommendation [SCUSD GDQD]. The hearing shall be conducted by the Governing Board or by a person designated by the superintendent within not less than 5 (five) business days and not more than thirty 30 (thirty) calendar days after a request for hearing is submitted by the term employee [SCUSD GDQD]. The date of the hearing may be postponed by stipulation of the term employee and the district, or by and in the sole discretion of the Governing Board or the hearing officer, or at the request of the aggrieved employee or the district for such reason or reasons as the Governing Board or hearing officer may deem appropriate [SCUSD GDQD]. The term employee may be represented at the hearing by counsel, at the term employee's expense [SCUSD GDQD]. The term employee shall have the opportunity to present witnesses and to cross-examine any witnesses presented by the district [SCUSD GDQD]. Formal rules of evidence shall not apply

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PROCEDURES FOR DISCIPLINARY ACTIONS – CONTINUED *SUSPENSIONS - CONTINUED*

[SCUSD GDQD]. No witness shall be permitted to testify at the hearing except upon oath or affirmation. The Governing Board or hearing officer shall keep confidential the name of a pupil involved in a hearing regarding discipline of a district employee. A record of the hearing shall be made by use of a mechanical device [ARS §38-424; SCUSD GDQD].

3. **After disciplinary action.** If a hearing officer is used, the hearing officer shall prepare a written statement of findings as to whether there is cause for suspension of the term employee for more than 5 (five) business days and submit it to the superintendent within 10 (ten) business days after the conclusion of the hearing [SCUSD GDQD]. If the Governing Board conducts the hearing, it shall render a decision within 10 (ten) business days after the conclusion of the hearing [SCUSD GDQD]. If the hearing officer or the Governing Board finds that there is not cause to suspend the employee without pay for more than 5 (five) business days, the superintendent may, after reviewing the findings, impose other disciplinary action [SCUSD GDQD].

ii. **At-will staff members:**

1. **Prior to disciplinary action.** Cases initiated at the building or site level must be referred to the superintendent/designee. The superintendent/designee will complete a formal investigation of the incident(s). The case facts must support a decision to seek this type of formal disciplinary action. [Administrative action](#) with pay may be taken before, during, after, or in the absence of the meeting pending the outcome of the proceedings.
2. **During disciplinary action.** Before suspending an at-will employee, the superintendent will inform the employee of intent to suspend the employee and will give the employee an informal opportunity to explain why, in the at-will employee's opinion, the suspension should not be imposed [SCUSD GDQD].
3. **After disciplinary action.** The superintendent will document the action.

D. **Documentation considerations.** This formal disciplinary action must be documented as follows:

1. **Certified employees:** Documentation must contain the required elements.
2. **Non-certified employees:** Documentation must contain the required elements.

E. **Post-disciplinary rights and responsibilities.** Concerns for this formal action include the following:

1. **Certified employees:**

a. **Suspensions, minor (ten business days or less).**

- i. **Disposition.** Documentation of the action will be retained in an Official Personnel File (OPF) in the central office in "active" status [ARS §15-341 (41) and §39-121.01 (B); SCUSD EHB, EHB-R and GBJ]. Access to OPFs will be limited to authorized district officials and those employees

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PROCEDURES FOR DISCIPLINARY ACTIONS – CONTINUED *SUSPENSIONS - CONTINUED*

authorized to handle them [ARS §39-121.01 (C); SCUSD GBJ]. The district may create subfiles within OPFs as appropriate to ensure confidentiality and efficient use of the files [ARS §39-121.01 (C); SCUSD GBJ].

- ii. **Review.** The employee will be advised of, and will be permitted to review and comment on, all information of a derogatory nature to be placed in his or her OPF [SCUSD GBJ]. The employee may prepare a written reply to such information, and such reply, if any, will be appended to the information in the OPF [SCUSD GBJ]. The employee may review his or her OPF by making a written request to the superintendent [SCUSD GBJ]. Materials obtained prior to the employee's employment, such as confidential recommendations or interview notes, will not be available for review by the employee [SCUSD GBJ].
- iii. **Inquiries.** The district shall maintain all records that are reasonably necessary or appropriate to maintain an accurate knowledge of disciplinary actions, including the employee responses to all disciplinary actions, involving employees of the district [ARS §39-128; SCUSD GBJ]. The records shall be open to inspection and copying pursuant to ARS §39-121 et seq., unless inspection or disclosure of the records or information in the records is contrary to law [ARS §15-341 (A)(30), §39-121.01 (D), §39-121.03, §39-123, §39-128 and §44-1373; SCUSD GBJ, KDB, KDB-R and KDB-E]. A log of the person(s) inspecting the record and the date of inspection shall be maintained [ARS §39-121.01 (C); SCUSD GBJ, KDB, KDB-R and KDB-E]. Individual members of the Governing Board may only inspect confidential staff files when specifically authorized by the Governing Board, as evidenced by action of a quorum of the Governing Board in a legal meeting properly noticed [SCUSD GBJ].
- iv. **Contest.** Discipline imposed may be appealed at the next organizational level, in writing, to the appropriate superintendent/designee [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF]. Only when the discipline is determined by the superintendent shall the appeal be to the Governing Board, which, at its discretion, may appoint a hearing officer [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF] to hear the appeal. Appeal is limited to 1 (one) organizational level above the level of the supervising administrator who imposed the discipline [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF]. The appeal shall contain a brief statement of the reasons why the certificated staff member believes the disciplinary decision was incorrect [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF]. The appeal shall specifically describe the part of the determination with which the certified employee disagrees: 1). The determination was founded upon error of construction or application of any pertinent regulations or policies; 2). The determination was unsupported by any evidence as disclosed by the entire record; 3). The determination was materially affected by unlawful procedure; 4). The determination was based on violation of any statutory or constitutional right; 5). The determination was arbitrary and capricious; or 6). The penalty was excessive [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF]. A record of the proceedings shall be made by use of a mechanical device [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF]. The supervising administrator, the superintendent, or, when appropriate, the Governing Board or the Governing Board-appointed hearing officer may, at the conclusion of the appeal, uphold the discipline, modify the decision, or refer the matter back to the level from which it was appealed for rehearing

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PROCEDURES FOR DISCIPLINARY ACTIONS – CONTINUED *SUSPENSIONS - CONTINUED*

and additional information [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF]. Such decision, along with specific direction as to the effective date of any discipline, shall be communicated to the certified employee within a reasonable amount of time following the appeal, not to exceed 7 (seven) business days [ARS §15-341 (21) and §15-341 (22); SCUSD GCQF].

- v. **Expiration.** Not available.
- vi. **Withdrawal.** Not available; the documentation may only be physically removed in accordance with state statute [ARS §15-341 (A)(41) and §39-101 et seq.; SCUSD EHB, EHB-R and KDB].

b. **Suspensions, major (over ten business days).**

- i. **Disposition.** See above.
- ii. **Review.** See above.
- iii. **Inquiries.** See above.
- iv. **Contest.** The decision of the Governing Board is final unless the certified employee files, within 30 (thirty) calendar days after the date of the decision, an appeal with the superior court in the county within which he or she was employed [ARS §15-543 (A); SCUSD GCQF]. The decision of the Governing Board may be reviewed by the court in the same manner as the decision made in accordance with ARS §41-783 [ARS §15-543 (B); SCUSD GCQF]. The proceeding shall be set for hearing at the earliest possible date and shall take precedence over all other cases, except older matters of the same character and matters to which special precedence is otherwise given by law [ARS §15-543 (B); SCUSD GCQF].
- v. **Expiration.** See above.
- vi. **Withdrawal.** See above.

2. **Non-certified employees:**

a. **Suspensions, minor (five business days or less).**

- i. **Disposition.** Documentation of the action will be retained in an Official Personnel File (OPF) in the central office in “active” status [ARS §15-341 (41) and §39-121.01 (B); SCUSD EHB, EHB-R and GBJ]. Access to OPFs will be limited to authorized district officials and those employees authorized to handle them [ARS §39-121.01 (C); SCUSD GBJ]. The district may create subfiles within OPFs as appropriate to ensure confidentiality and efficient use of the files [ARS §39-121.01 (C); SCUSD GBJ].
- ii. **Review.** The employee will be advised of, and will be permitted to review and comment on, all information of a derogatory nature to be placed in his or her OPF [SCUSD GBJ]. The employee may prepare a written reply to such information, and such reply, if any, will be appended to the information in the OPF [SCUSD GBJ]. The employee may review his or her OPF by making a written request to the superintendent [SCUSD GBJ]. Materials obtained prior to the employee's employment, such as confidential recommendations or interview notes, will not be available for review by the employee [SCUSD GBJ].
- iii. **Inquiries.** The district shall maintain all records that are reasonably necessary or appropriate to maintain an accurate knowledge of disciplinary actions, including the employee responses to all disciplinary actions,

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



PROCEDURES FOR DISCIPLINARY ACTIONS – CONTINUED *SUSPENSIONS - CONTINUED*

involving employees of the district [ARS §39-128; SCUSD GBJ]. The records shall be open to inspection and copying pursuant to ARS §39-121 et seq., unless inspection or disclosure of the records or information in the records is contrary to law [ARS §15-341 (A)(30), §39-121.01 (D), §39-121.03, §39-123, §39-128 and §44-1373; SCUSD GBJ, KDB, KDB-R and KDB-E]. A log of the person(s) inspecting the record and the date of inspection shall be maintained [ARS §39-121.01 (C); SCUSD GBJ, KDB, KDB-R and KDB-E]. Individual members of the Governing Board may only inspect confidential staff files when specifically authorized by the Governing Board, as evidenced by action of a quorum of the Governing Board in a legal meeting properly noticed [SCUSD GBJ].

- iv. **Contest.** A complaint relating to 'minor' disciplinary action shall not be processed as a grievance [SCUSD GBK-R and GDQD]. The supervisor's superior will review the complaint and may confer with the support staff member, the supervisor, and such other persons as the supervisor's superior deems necessary [SCUSD GDQD]. The decision of the supervisor's superior will be final [SCUSD GDQD].
- v. **Expiration.** Not available.
- vi. **Withdrawal.** Not available; the documentation may only be physically removed in accordance with state statute [ARS §15-341 (A)(41) and §39-101 et seq.; SCUSD EHB, EHB-R and KDB].

b. **Suspensions, major (over five business days).**

i. **Term contract staff members:**

- 1. **Disposition.** See above.
- 2. **Review.** See above.
- 3. **Inquiries.** See above.
- 4. **Contest.** A complaint relating to a suspension without pay for more than 5 (five) business days shall not be processed as a grievance [SCUSD GBK-R and GDQD]. The superintendent shall review the written statement and, if desired, the record, and the superintendent's decision whether to accept the findings and whether to suspend the term employee for more than 5 (five) business days or to impose other discipline shall be a final decision [SCUSD GDQD].
- 5. **Expiration.** See above.
- 6. **Withdrawal.** See above.

ii. **At-will staff members:**

- 1. **Disposition.** See above.
- 2. **Review.** See above.
- 3. **Inquiries.** See above.
- 4. **Contest.** A complaint relating to a suspension without pay for more than 5 (five) business days shall not be processed as a grievance [SCUSD GBK-R and GDQD]. The superintendent's decision will be final [SCUSD GDQD].
- 5. **Expiration.** See above.
- 6. **Withdrawal.** See above.

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**PROCEDURES FOR DISCIPLINARY ACTIONS – CONTINUED
*SUSPENSIONS - CONTINUED***

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ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



PROCEDURES FOR DISCIPLINARY ACTIONS – CONTINUED DISMISSALS

- A. **Definition.** A *dismissal* is defined as an involuntary separation from service on a permanent basis for disciplinary purposes used when: 1). The issue of employee remediation is either no longer valid or is otherwise irrelevant; or 2). The misconduct involved is incompatible with initial or continued employment by the district. While term and at-will staff have fewer due process rights when facing dismissal, this formal action requires the level of due process outlined in state statute and district policy for administrators and teachers, and only the Governing Board may approve this type of employee discipline.

Dismissals may be further characterized as follows:

1. Dismissal for cause:

- a. **Certified employees:** A *dismissal for cause* is an involuntary separation taken for: 1). Immoral or unprofessional conduct [ARS §15-203 (20), §13-1001, §13-1404, §13-1405, §13-1406, §15-550 and §41-1758.03 (B); SCUSD CBCA and GCQF]; 2). Willful neglect or failure on the part of a certified employee to observe and carry out the requirements of ARS §15-532 and §15-710 [ARS §15-508; SCUSD CBCA]; 3). Non-elective sectarian instruction [ARS §15-535; SCUSD CBCA and GCMF]; or 4). Continued or repeated acts of misconduct of a less severe nature involving a failure to comply with federal law, state statute or district policy [SCUSD CBCA]. Good and just cause does not include religious or political beliefs or affiliations unless they are in violation of the oath of the certified employee [ARS §15-541 (B)].
- b. **Non-certified employees:**
 - i. **Term contract staff members:** A *dismissal for cause* is an involuntary separation taken for: 1). Immoral or unprofessional conduct [ARS §41-770; SCUSD GDQD]; or 2). Continued or repeated acts of misconduct of a less severe nature involving a failure to comply with federal law, state statute or district policy [ARS §23-1501 (1) and §41-770; SCUSD GDQD].
 - ii. **At-will staff members:** The employment of an at-will staff member may be terminated by action of the Governing Board for any reason, or for no reason, with or without advance notice, as the Governing Board desires [ARS §23-1501 (2); SCUSD GDF-EA and GDQD].

2. Dismissal for substandard performance:

- a. **Certified employees:** A *dismissal for substandard performance* is an involuntary separation taken for a failure to meet performance standards established by the Arizona Department of Education and/or the district [ARS §15-203 (A)(38), §15-536, §15-537, §15-537.01, §15-538, §15-538.01, §15-539 (C) through (E); SCUSD CBCA]. The hearing and appeal provisions herein are not applicable in cases of substandard performance involving certificated staff employed by the district for less than the major portion of 3 (three) consecutive school years [ARS §15-539 (C) through (E); SCUSD CBCA].
- b. **Non-certified employees:** A *dismissal for substandard performance* is an involuntary separation taken for a failure to meet Governing-Board ratified performance expectations and/or performance standards established by the district [SCUSD CBCA].

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PROCEDURES FOR DISCIPLINARY ACTIONS – CONTINUED DISMISSALS - CONTINUED

B. **Overview.** Employees facing this type of formal disciplinary action will receive the following:

1. **Certified employees:** For violations that are cause for dismissal, the provisions of notice, hearing and appeal in ARS §15 Chapter 5, Article 3 shall apply [SCUSD GCQF]. The hearing and appeal provisions are not permitted in cases of unprofessional conduct involving:
 - 1). A certified employee who has been convicted of a dangerous crime against children as defined in section ARS §13-705 or has been convicted of a violation of ARS §13-1404 or §13-1406 in which the victim was a minor or ARS §13-1405 or an act committed in another state or territory which if committed in this state would have been a dangerous crime against children or a violation of ARS §13-1404 or §13-1406 in which the victim was a minor or a violation of ARS §13-1405 [ARS §15-550 (A); SCUSD CBCA];
 - 2). A certified employee who has been convicted of a preparatory offense as prescribed in section ARS §13-1001 of any of the offenses prescribed in ARS §15-550 (A) or any crime that requires the certified employee to register as a sex offender [ARS §15-550 (B); SCUSD CBCA];
 - or 3). A person who is employed by the district, or who is an applicant for employment with the district, is arrested for or charged with any non-appealable offense listed in ARS §41-1758.03 (B) and does not immediately report the arrest or charge to his or her supervisor or the district [ARS §15-550 (C); SCUSD GBEB]. The filing of a timely request suspends the imposition of the action pending completion of the hearing [ARS §15-539 (G); SCUSD GCQF]. All required notices shall be in writing and shall be served on the certified employee personally or by United States registered or certified mail addressed to the certified employee's last known address [ARS §15-539 (F); SCUSD GCQF].
2. **Non-certified employees:**
 - a. **Term contract staff members:** For violations that are cause for dismissal, provisions of notice and hearing shall apply [SCUSD GDQD]. The hearing provision is not permitted in cases of unprofessional conduct involving a person who is employed by the district or who is an applicant for employment with the district, is arrested for or charged with any non-appealable offense listed in ARS §41-1758.03 (B) and does not immediately report the arrest or charge to the person's supervisor or the district [SCUSD GBEB]. The filing of a timely request for a hearing suspends the imposition of the action pending completion of the hearing [SCUSD GDQD]. Requests filed after the expiration of the applicable time limitation will not be considered [SCUSD GDQD]. All required notices shall be in writing and shall be served on the term contract staff member personally or by United States registered or certified mail addressed to the term contract staff member's last known address.
 - b. **At-will staff members:** For violations that are cause for dismissal, provision of notice shall apply [SCUSD GDQD]. All required notices shall be in writing and shall be served on the at-will staff member personally or by United States registered or certified mail addressed to the term contract staff member's last known address.

C. **Procedural considerations.** An employee facing this formal disciplinary action should receive the following:

1. **Certified employees:**
 - a. **Prior to disciplinary action.** Cases initiated at the building or site level must be referred to the superintendent/designee [SCUSD GCQF]. The superintendent/designee will complete a formal investigation of the incident(s). The case facts must support a decision to seek this type of formal disciplinary action [SCUSD GCQF]. [Administrative action](#) with pay may be taken before,

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PROCEDURES FOR DISCIPLINARY ACTIONS – CONTINUED DISMISSALS - CONTINUED

during, after, or in the absence of the proceedings. During the pendency of any hearing, neither the certified employee nor the supervising administrator shall contact the superintendent, a Governing Board member or any person designated to act as a hearing officer to discuss the merits of the charges or the recommendation for disciplinary action [SCUSD GCQF].

- b. **During disciplinary action.** On a written statement of charges presented by the superintendent, charging that there exists cause for the dismissal of a certified employee of the district, the Governing Board, except as otherwise provided in ARS §15 Chapter 5, Article 3, shall give notice to the certified employee of its intent to dismiss the certified employee at the expiration of 10 (ten) calendar days from the date of the service of the notice [ARS §15-539 (A); SCUSD GCQF and GCQF-E]. Any written statement of charges alleging unprofessional conduct or conduct in violation of the rules or policies of the Governing Board shall specify instances of behavior and the acts or omissions constituting the charge so that the certificated certified employee will be able to prepare a defense [ARS §15-539 (E); SCUSD GCQF]. If applicable, it shall state the statute(s) or rule(s) of the Governing Board that the certified employee is alleged to have violated and set forth the facts relevant to each occasion of alleged unprofessional conduct, conduct in violation of the rules or policies of the Governing Board [ARS §15-539 (E); SCUSD GCQF]. A copy of the charges, together with a copy of ARS §15-539 and ARS §15-501, §15-538.01, §15-540, §15-541, §15-542 and §15-544 through §15-547, shall be attached to the notice [ARS §15-539 (F); SCUSD GCQF]. The certified employee who receives notice that there exists cause for dismissal shall have the right to a hearing if the certified employee files a written request with the Governing Board within 10 (ten) calendar days of service of notice [ARS §15-539 (G); SCUSD GCQF]. The Governing Board shall decide whether to hold a hearing on the dismissal of a certified employee as provided in ARS §15 Chapter 5, Article 3 [ARS §15-541 (A); SCUSD GCQF]. If the Governing Board decides not to hold a hearing, the Governing Board shall designate a hearing officer to hold the hearing, hear the evidence, prepare a record and issue a recommendation to the Governing Board for action [ARS §15-541 (A); SCUSD GCQF]. The Governing Board may provide by policy or vote at its annual organizational meeting that all hearings conducted pursuant to this section shall be conducted before a hearing officer [ARS §15-541 (A); SCUSD GCQF]. A hearing held pursuant to ARS §15-541 may not be conducted by any hearing officer having a personal interest which would conflict with the hearing officer's objectivity in the hearing [ARS §15-541 (B); SCUSD GCQF]. The hearing officer shall be mutually agreed upon by the parties to the hearing [ARS §15-541 (A)]. If the parties cannot mutually agree on a hearing officer, a hearing officer shall be selected by the Governing Board from a list provided by the Arizona Department of Education or the American Arbitration Association [ARS §15-541 (A); SCUSD GCQF]. The hearing shall be held not less than 15 (fifteen) calendar days nor more than 30 (thirty) calendar days after the request is filed unless all parties to the hearing mutually agree to a different hearing date, and notice of the time and place of the hearing shall be given to the teacher not less than 3 (three) calendar days before the date of the hearing [ARS §15-541 (A); SCUSD GCQF]. The certified employee may request that the hearing be conducted in public or private [ARS §15-541 (A); SCUSD GCQF]. At the hearing the certified employee may appear in person and by counsel, if desired, and may present any testimony, evidence or statements, either oral or in writing, in the certified employee's behalf [ARS §15-541 (A); SCUSD GCQF]. The teacher will have the right to present witness(es) on his or her behalf and to cross-examine witnesses at the hearing [SCUSD GCQF]. No witness shall be permitted to testify at the hearing except upon oath or affirmation [ARS §15-542 (B); SCUSD GCQF].

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



PROCEDURES FOR DISCIPLINARY ACTIONS – CONTINUED DISMISSALS - CONTINUED

The Governing Board or hearing officer shall keep confidential the name of a pupil involved in a hearing regarding discipline of a district employee [ARS §15-551 (A); SCUSD GCQF and GCQF-E]. The Governing Board or the hearing officer shall prepare an official record of the hearing, including all testimony recorded manually or by mechanical device, and exhibits [ARS §15-541 (A) and §38-424; SCUSD GCQF]. The certified employee who is the subject of the hearing may not request that the testimony be transcribed unless the certified employee agrees in writing to pay the actual cost of the transcription [ARS §15-541 (A); SCUSD GCQF]. The certified employee will have the right to a copy of the record at district expense [SCUSD GCQF].

- c. **After disciplinary action.** Within 10 (ten) calendar days after a hearing conducted by the Governing Board, the Governing Board shall determine whether there existed good and just cause for the notice of dismissal and shall render its decision accordingly, either affirming or withdrawing the notice of dismissal [ARS §15-541 (A); SCUSD GCQF]. Within 10 (ten) calendar days after a hearing conducted by a hearing officer, the hearing officer shall deliver a written recommendation to the Governing Board that includes findings of fact and conclusions [ARS §15-541 (A); SCUSD GCQF]. The Governing Board has an additional 10 (ten) calendar days to determine whether good and just cause existed for the notice of dismissal and shall render its decision accordingly, either affirming or withdrawing the notice of dismissal [ARS §15-541 (B); SCUSD GCQF]. Parties to the hearing have the right to object to the findings of the hearing officer and present oral and written arguments to the Governing Board [ARS §15-541 (A); SCUSD GCQF]. The Governing Board shall pay all expenses of the hearing [ARS §15-542 (A); SCUSD GCQF]. The certificated teacher and the Governing Board shall pay their own attorney and witness fees [ARS §15-542 (A); SCUSD BDG and GCQF]. If the Governing Board does not suspend the teacher without pay or dismiss the teacher, the Governing Board shall pay all reasonable attorney and witness fees incurred by the teacher [ARS §15-542 (A); SCUSD BDG and GCQF].

2. **Non-certified employees:**

a. **Term contract staff members:**

- i. **Prior to disciplinary action.** Cases initiated at the building or site level must be referred to the superintendent/designee. The superintendent/designee will complete a formal investigation of the incident(s). The case facts must support a decision to seek this type of formal disciplinary action. [Administrative action](#) with pay may be taken before, during, after, or in the absence of the proceedings. During the pendency of any hearing, neither the term contract staff member nor the supervisor shall contact the superintendent, a Governing Board member or any person designated to act as a hearing officer to discuss the merits of the charges or the recommendation for disciplinary action.
- ii. **During disciplinary action.** If the superintendent recommends dismissal of a term employee, a copy of the recommendation shall be delivered to the term employee [SCUSD GDQD]. The employee may request a hearing within 5 (five) business days after receipt of the recommendation [SCUSD GDQD]. If a hearing is requested, the superintendent shall deliver a written notice of the time and place of the hearing and a written statement that gives the reason(s) for the recommendation, a list of persons whom the superintendent expects to testify in support of the recommendation (together with a brief summary of what each person is expected to say),

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



PROCEDURES FOR DISCIPLINARY ACTIONS – CONTINUED DISMISSALS - CONTINUED

and a general description of any other evidence that the superintendent at the time believes may be presented at the hearing in support of the recommendation [SCUSD GDQD]. The hearing shall be conducted by the Governing Board or by a person designated by the superintendent within not less than 5 (five) business days and not more than thirty 30 (thirty) calendar days after a request for hearing is submitted by the term employee [SCUSD GDQD]. The date of the hearing may be postponed by stipulation of the term employee and the district, or by and in the sole discretion of the Governing Board or the hearing officer, or at the request of the aggrieved employee or the district for such reason or reasons as the Governing Board or hearing officer may deem appropriate [SCUSD GDQD]. The term employee may be represented at the hearing by counsel, at the term employee's expense [SCUSD GDQD]. The term employee shall have the opportunity to present witnesses and to cross-examine any witnesses presented by the district [SCUSD GDQD]. Formal rules of evidence shall not apply [SCUSD GDQD]. No witness shall be permitted to testify at the hearing except upon oath or affirmation. The Governing Board or hearing officer shall keep confidential the name of a pupil involved in a hearing regarding discipline of a district employee. A record of the hearing shall be made by use of a mechanical device [ARS §38-424; SCUSD GDQD].

- iii. **After disciplinary action.** If a hearing officer is used, the hearing officer shall prepare a written statement of findings as to whether there is cause for dismissal of the term employee and submit it to the Governing Board within 10 (ten) business days after the conclusion of the hearing [SCUSD GDQD]. If the Governing Board conducts the hearing, it shall render a decision within 10 (ten) business days after the conclusion of the hearing [SCUSD GDQD].

b. **At-will staff members:**

- i. **Prior to disciplinary action.** Cases initiated at the building or site level must be referred to the superintendent/designee. The superintendent/designee will complete a formal investigation of the incident(s). The case facts must support a decision to seek this type of formal disciplinary action. [Administrative action](#) with pay may be taken before, during, after, or in the absence of the meeting pending the outcome of the proceedings. Neither the term contract staff member nor the supervisor shall contact the superintendent, a Governing Board member or any person designated to act as a hearing officer to discuss the merits of the charges or the recommendation for disciplinary action.
- ii. **During disciplinary action.** If the superintendent recommends that the Governing Board dismiss an at-will employee, the recommendation shall be submitted to the Governing Board in writing and a copy of the recommendation shall be delivered to the at-will employee [SCUSD GDQD]. The at-will employee may submit to the Governing Board prior to the Board meeting a written response to the recommendation [SCUSD GDQD]. If the at-will employee chooses to attend the Governing Board meeting when the recommendation is considered, the Governing Board may, in its discretion, permit the at-will employee to address the Governing Board concerning only the recommendation [SCUSD GDQD].
- iii. **After disciplinary action.** The Governing Board will document the action.

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



PROCEDURES FOR DISCIPLINARY ACTIONS – CONTINUED DISMISSALS - CONTINUED

D. **Documentation considerations.** This formal action must be documented as follows:

1. **Certified employees:** Documentation must contain the required elements.
2. **Non-certified employees:** Documentation must contain the required elements.

E. **Post-disciplinary rights and responsibilities.** Concerns for this formal disciplinary action include the following:

1. **Certified employees:**

- a. **Disposition.** Documentation of the action will be retained in an Official Personnel File (OPF) in the central office in “inactive” status [ARS §15-341 (41) and §39-121.01 (B); SCUSD EHB, EHB-R and GBJ]. No documents and/or adverse materials shall be placed in the OPF after dismissal. Access to OPFs will be limited to authorized district officials and those employees authorized to handle them [ARS §39-121.01 (C); SCUSD GBJ]. The district may create subfiles within OPFs as appropriate to ensure confidentiality and efficient use of the files [ARS §39-121.01 (C); SCUSD GBJ].
- b. **Review.** The employee will be advised of, and will be permitted to review and comment on, all information of a derogatory nature to be placed in his or her OPF [SCUSD GBJ]. The employee may prepare a written reply to such information, and such reply, if any, will be appended to the information in the OPF [SCUSD GBJ]. The employee may review his or her OPF by making a written request to the superintendent [SCUSD GBJ]. Materials obtained prior to the employee's employment, such as confidential recommendations or interview notes, will not be available for review by the employee [SCUSD GBJ].
- c. **Inquiries.** The district shall maintain all records that are reasonably necessary or appropriate to maintain an accurate knowledge of disciplinary actions, including the employee responses to all disciplinary actions, involving employees of the district [ARS §39-128; SCUSD GBJ]. The records shall be open to inspection and copying pursuant to ARS §39-121 et seq., unless inspection or disclosure of the records or information in the records is contrary to law [ARS §15-341 (A)(30), §39-121.01 (D), §39-121.03, §39-123, §39-128 and §44-1373; SCUSD GBJ, KDB, KDB-R and KDB-E]. A log of the person(s) inspecting the record and the date of inspection shall be maintained [ARS §39-121.01 (C); SCUSD GBJ, KDB, KDB-R and KDB-E]. Individual members of the Governing Board may only inspect confidential staff files when specifically authorized by the Governing Board, as evidenced by action of a quorum of the Governing Board in a legal meeting properly noticed [SCUSD GBJ].
- d. **Contest.** The decision of the Governing Board is final unless the certified employee files, within 30 (thirty) calendar days after the date of the decision, an appeal with the superior court in the county within which he or she was employed [ARS §15-341 (22) and §15-543 (A); SCUSD GCQF]. The decision of the Governing Board may be reviewed by the court in the same manner as the decision made in accordance with ARS §41-783 [ARS §15-341 (22) and §15-543 (B); SCUSD GCQF]. The proceeding shall be set for hearing at the earliest possible date and shall take precedence over all other cases, except older matters of the same character and matters to which special precedence is otherwise given by law [ARS §15-341 (22) and §15-543 (B); SCUSD GCQF].
- e. **Expiration.** Not available.
- f. **Withdrawal.** Not available; the documentation may only be physically removed in accordance with state statute [ARS §15-341 (A)(41) and §39-101 et seq.; SCUSD EHB, EHB-R and KDB].

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



PROCEDURES FOR DISCIPLINARY ACTIONS – CONTINUED DISMISSALS - CONTINUED

2. Non-certified employees:

a. Term contract staff members:

- i. **Disposition.** Documentation of the action will be retained in an Official Personnel File (OPF) in the central office in “inactive” status [ARS §15-341 (41) and §39-121.01 (B); SCUSD EHB, EHB-R and GBJ]. No documents and/or adverse materials shall be placed in the OPF after dismissal. Access to OPFs will be limited to authorized district officials and those employees authorized to handle them [ARS §39-121.01 (C); SCUSD GBJ]. The district may create subfiles within OPFs as appropriate to ensure confidentiality and efficient use of the files [ARS §39-121.01 (C); SCUSD GBJ].
- ii. **Review.** The employee will be advised of, and will be permitted to review and comment on, all information of a derogatory nature to be placed in his or her OPF [SCUSD GBJ]. The employee may prepare a written reply to such information, and such reply, if any, will be appended to the information in the OPF [SCUSD GBJ]. The employee may review his or her OPF by making a written request to the superintendent [SCUSD GBJ]. Materials obtained prior to the employee's employment, such as confidential recommendations or interview notes, will not be available for review by the employee [SCUSD GBJ].
- iii. **Inquiries.** The district shall maintain all records that are reasonably necessary or appropriate to maintain an accurate knowledge of disciplinary actions, including the employee responses to all disciplinary actions, involving employees of the district [ARS §39-128; SCUSD GBJ]. The records shall be open to inspection and copying pursuant to ARS §39-121 et seq., unless inspection or disclosure of the records or information in the records is contrary to law [ARS §15-341 (A)(30), §39-121.01 (D), §39-121.03, §39-123, §39-128 and §44-1373; SCUSD GBJ, KDB, KDB-R and KDB-E]. A log of the person(s) inspecting the record and the date of inspection shall be maintained [ARS §39-121.01 (C); SCUSD GBJ, KDB, KDB-R and KDB-E]. Individual members of the Governing Board may only inspect confidential staff files when specifically authorized by the Governing Board, as evidenced by action of a quorum of the Governing Board in a legal meeting properly noticed [SCUSD GBJ].
- iv. **Contest.** A complaint relating to a dismissal shall not be processed as a grievance [SCUSD GBK-R and GDQD]. The decision of the Governing Board is final [SCUSD GDQD].
- v. **Expiration.** Not available.
- vi. **Withdrawal.** Not available; the documentation may only be physically removed in accordance with state statute [ARS §15-341 (A)(41) and §39-101 et seq.; SCUSD EHB, EHB-R and KDB].

b. At-will staff members:

- i. **Disposition.** Documentation of the action will be retained in an Official Personnel File (OPF) in the central office in “inactive” status [ARS §15-341 (41) and §39-121.01 (B); SCUSD EHB, EHB-R and GBJ]. No documents and/or adverse materials shall be placed in the OPF after dismissal. Access to OPFs will be limited to authorized district officials and those employees authorized to handle them [ARS §39-121.01 (C); SCUSD GBJ]. The district may create subfiles within OPFs as appropriate to ensure

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



PROCEDURES FOR DISCIPLINARY ACTIONS – CONTINUED DISMISSALS - CONTINUED

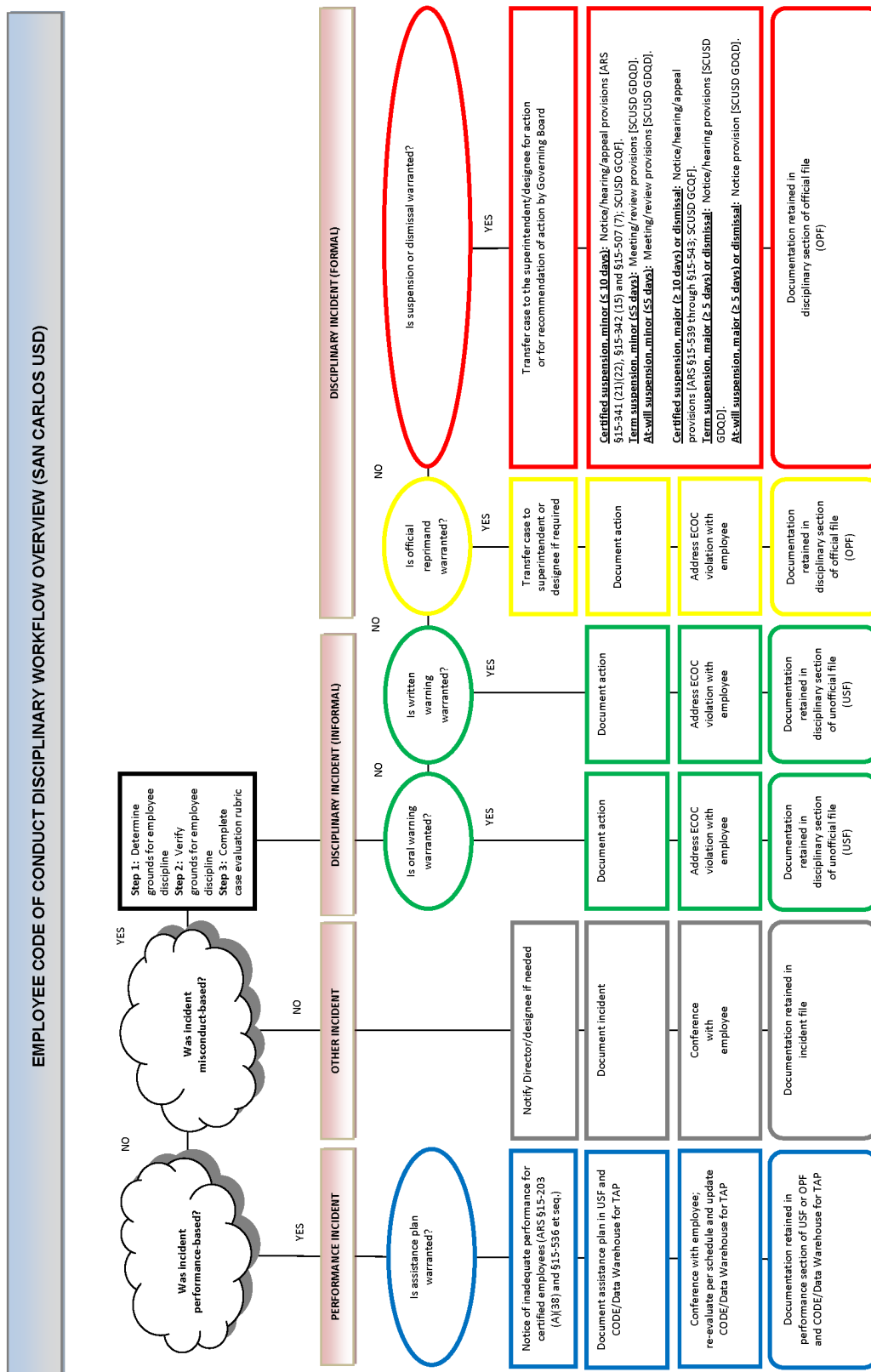
- confidentiality and efficient use of the files [ARS §39-121.01 (C); SCUSD GBJ].
- ii. **Review.** The employee will be advised of, and will be permitted to review and comment on, all information of a derogatory nature to be placed in his or her OPF [SCUSD GBJ]. The employee may prepare a written reply to such information, and such reply, if any, will be appended to the information in the OPF [SCUSD GBJ]. The employee may review his or her OPF by making a written request to the superintendent [SCUSD GBJ]. Materials obtained prior to the employee's employment, such as confidential recommendations or interview notes, will not be available for review by the employee [SCUSD GBJ].
 - iii. **Inquiries.** The district shall maintain all records that are reasonably necessary or appropriate to maintain an accurate knowledge of disciplinary actions, including the employee responses to all disciplinary actions, involving employees of the district [ARS §39-128; SCUSD GBJ]. The records shall be open to inspection and copying pursuant to ARS §39-121 et seq., unless inspection or disclosure of the records or information in the records is contrary to law [ARS §15-341 (A)(30), §39-121.01 (D), §39-121.03, §39-123, §39-128 and §44-1373; SCUSD GBJ, KDB, KDB-R and KDB-E]. A log of the person(s) inspecting the record and the date of inspection shall be maintained [ARS §39-121.01 (C); SCUSD GBJ, KDB, KDB-R and KDB-E]. Individual members of the Governing Board may only inspect confidential staff files when specifically authorized by the Governing Board, as evidenced by action of a quorum of the Governing Board in a legal meeting properly noticed [SCUSD GBJ].
 - iv. **Contest.** A complaint relating to a dismissal shall not be processed as a grievance [SCUSD GBK-R and GDQD]. The decision of the Governing Board is final [SCUSD GDQD].
 - v. **Expiration.** Not available.
 - vi. **Withdrawal.** Not available; the documentation may only be physically removed in accordance with state statute [ARS §15-341 (A)(41) and §39-101 et seq.; SCUSD EHB, EHB-R and KDB].

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



APPENDIX A

OVERVIEW: EMPLOYEE DISCIPLINARY PROCESS



**ADMINISTRATIVE GUIDELINES:
EMPLOYEE CODE OF CONDUCT (SCUSD)**



APPENDIX A – CONTINUED

OVERVIEW: EMPLOYEE DISCIPLINARY PROCESS - CONTINUED

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APPENDIX B GENERAL INVESTIGATION WORKSHEET

San Carlos Unified School District # 20



General Investigation Worksheet

Date investigation was opened: _____

Expected completion date: _____

Date completed: _____

Name of employee: _____

Name(s) of investigator(s): _____

Expectations of investigation (include the grounds for employee discipline involved):

Date and time of alleged incident: _____

Description of alleged incident (reference the "who", "what", "where", "when", and "why"):

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APPENDIX B – CONTINUED *GENERAL INVESTIGATION WORKSHEET - CONTINUED*

Physical location of alleged incident (include a description and details of any examination):

Names and statements of witnesses (interviewed separately; attach to worksheet):

Summary of employee's past disciplinary record (include grounds and disciplinary actions):

Special rights of the accused that must be addressed (if any):

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APPENDIX C GROUNDS-SPECIFIC INVESTIGATION WORKSHEET (INSUBORDINATION)

San Carlos Unified School District # 20



Today's Date: _____

Date of Incident: _____

Employee: _____

Completed by: _____

INSUBORDINATION CHECKLIST	YES	NO
Was the behavior a clear violation of policy?		
Was a clear directive issued? <i>The most effective way to communicate a request is a clearly written memo or order that explains <u>what</u> to do, <u>when</u> it needs to be done, and <u>how</u> it should be done. To address this requirement for establishing insubordination, the investigator should identify:</i> <ul style="list-style-type: none"> • Who issued the directive; or • Whether the directive was given verbally, in writing, or by some other means. 		
Did the employee understand the directive? <i>The most effective way to ensure understanding is to have the employee respond to the directive in writing to confirm that he or she comprehends the requirement(s) involved. Any directive issued verbally must be related in a manner that confirms that the employee clearly understands what is expected. To address this requirement for establishing insubordination, the investigator should identify:</i> <ul style="list-style-type: none"> • Whether or not the employee was aware of the purpose of the request; • Whether or not the employee was aware of the specific duties imposed by the request; or • Whether or not the employee directly refused or avoided the directive and why. 		
Was the directive appropriate? <i>To address this requirement for establishing insubordination, the investigator should identify:</i> <ul style="list-style-type: none"> • Whether or not the directive was consistent with the employee's duties, position and/or skills; • Whether or not the directive required the employee to perform unsafe or illegal acts; • Whether or not the employee had a valid explanation for refusing or avoiding the directive; or • Whether or not the directive reasonably interfered with the employee's rights. 		

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APPENDIX C – CONTINUED GROUNDS-SPECIFIC INVESTIGATION WORKSHEET (INSUBORDINATION) - CONTINUED

Today's Date: _____

Date of Incident: _____

Employee: _____

Completed by: _____

INSUBORDINATION CHECKLIST	YES	NO
<p>Are there any factors that might have influenced the employee's actions?</p> <p><i>To address this requirement for establishing insubordination, the investigator should identify:</i></p> <ul style="list-style-type: none"> • Whether the action or behavior involved is prevalent among the employee's colleagues or co-workers; • Whether or not the action or behavior was motivated by others; • Whether or not past evidence of insubordination exists; • Whether or not the employee was adequately notified in advance that the action or behavior involved was inappropriate or unacceptable; • Whether or not district policy clearly prohibits the action or behavior involved; or • Whether or not district policy in this area is being consistently enforced. 		
<p>What is the potential impact of the insubordinate conduct on the district?</p> <p><i>To address this requirement for establishing insubordination, the investigator should identify:</i></p> <ul style="list-style-type: none"> • Whether or not the action or behavior impacted campus safety; • Whether or not the action or behavior impacted the interests of the district; • Whether or not the action or behavior impacted school or job climate; • Whether or not the employee's job position worsened or improved the effect of the action or behavior; or • Whether or not the action or behavior can be remediated. 		

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APPENDIX D CASE EVALUATION RUBRIC

EMPLOYEE DISCIPLINE RUBRIC	
DATE:	5/22/05
EMPLOYEE NAME:	Michelle Flores
POSITION/TITLE:	Custodian
LENGTH OF SERVICE:	14 years

The following is an example of a disciplinary decision-making tool based on the Douglas Factors (Merit Systems Protection Board, *Douglas vs. Veterans Administration*, 5 M.S.P.R. 280, 1981) that illustrates one quantitative method by which reasonable and appropriate employee disciplinary decisions may be reached in a fair and consistent manner. To protect due process rights, such an instrument should only be used after grounds for employee discipline have been established and verified in the case. Decisions to use such a tool must be accompanied by a commitment to do so with every employee discipline case in conjunction with regularly updated employee discipline policies and the Code of Employee Conduct based upon them. In cases where an investigative team is in place, each party should be familiar with this instrument before a disciplinary consequence is selected or recommended to ensure inter-rater reliability.

DIRECTIONS:

Complete steps 1-7 below.

STEP 1: Begin by indicating the validated grounds for employee discipline.

STEP 2: Next, indicate on how many occasions, including this case, that these grounds for employee discipline have been validated against this individual.

STEP 3: Next, review the most reasonable range of disciplinary option(s) for this case, if any, based on LEA progressive employee discipline guidelines.

122: EMPLOYEE MISCONDUCT: CIVIL VIOLATION: SEXUAL HARASSMENT

2

NO	NO EMPLOYEE DISCIPLINE
NO	ORAL WARNING
NO	WRITTEN WARNING
YES	OFFICIAL REPRIMAND
YES	SUSPENSION
YES	TERMINATION
NO	NOT APPLICABLE

RANGE OF SCHOOL OR DISTRICT APPROVED DISCIPLINARY OPTIONS:

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



APPENDIX D - CONTINUED CASE EVALUATION RUBRIC - CONTINUED

STEP 4a: Next, use the rating guide to evaluate the aggravating factors associated with this case.		
AGGRAVATING FACTORS		
FACTOR CATEGORY	CRITERION	RATING GUIDE
1 Nature of incident(s)	1.1 This/these incident(s) represent(s) a specific violation of the Code of Employee Conduct.	4
	1.2 This/these incident(s) can be linked to the employee's position, duties, or job responsibilities.	2
	1.3 This/these incident(s) had a direct impact on campus safety, school climate, or the interests of the LEA.	4
	1.4 This/these incident(s) was/were committed maliciously, intentionally, for gain, or on more than one occasion.	0
Category subtotal:		
2 Work role	2.1 This employee functions in a supervisory, fiduciary, or other prominent role within the school or district.	0
	2.2 This employee's position requires significant contact with external stakeholders and/or the public.	0
Category subtotal:		
3 Disciplinary record	3.1 Disciplinary action was taken against this employee on the same or substantially similar grounds in the past.	4
	3.2 Disciplinary action was taken against this employee on dissimilar grounds in the past.	0
Category subtotal:		
4 Community impact	4.1 The incident(s) involved has/have either received public attention or is/are likely to impact the reputation of the LEA in the future.	0
Category subtotal:		
5 Prior due process	5.1 The employee previously read, understood, and agreed to abide by the Code of Employee Conduct prior to this disciplinary incident.	4
Category subtotal:		
AGGRAVATING FACTOR SUBTOTAL:		18

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



APPENDIX D - CONTINUED CASE EVALUATION RUBRIC - CONTINUED

STEP 4b: Next, use the rating guide to evaluate the mitigating factors associated with this case.

MITIGATING FACTORS		RATING GUIDE	
FACTOR CATEGORY	CRITERION	RATING	
6 Performance record	6.1 This employee's term of service was insufficient to provide the experience needed to foresee and/or avoid this/these incident(s).	0	Evidence addressing this factor cannot be identified OR this factor does not apply to the case
	6.2 This employee's past work history reveals no performance concerns (e.g., failure to meet performance expectations, inability to get along with colleagues or co-workers, or a lack of dependability).	4	
	Category subtotal:		
7 Psychosocial record	7.1 A physical or mental disability (e.g., cognitive impairment, personality problems, or chronic illness) may be involved in this case.	0	Evidence addressing this criterion is weak and subjective
	7.2 A personal problem (e.g., physical illness/injury), family issue (e.g., death/divorce/move/financial crisis), or similar stressor may be involved in this case.	3	
	7.3 Unusual job circumstances, tension, or pressure (e.g., harassment, bad faith, malice, or provocation from others) may be involved in this case.	3	
	Category subtotal:		
8 Future work environment	8.1 This/these incident(s) should have little or no impact on the employee's ability to effectively perform his or her assigned duties in the future.	1	Evidence addressing this criterion is weak but objective
	8.2 This/these incident(s) should have little or no impact on administrative or supervisory confidence and/or trust in the employee in the future.	1	
9 Rehabilitation potential	9.1 Remediation of the conduct or performance deficit that this/these incident(s) represent(s) is a realistic goal.	3	Evidence addressing this criterion is strong but subjective
	Category subtotal:		
10 Deterrence effect	10.1 Disciplinary action in this case should result in behavioral suppression (i.e., prevention of the same or similar incidents in the future) for this employee.	3	Evidence addressing this criterion is strong and objective
	10.2 Disciplinary action in this case should reinforce behavioral suppression (i.e., prevention of the same or similar incidents in the future) among other employees.	3	
	Category subtotal:		
MITIGATING FACTOR SUBTOTAL:		21	

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



APPENDIX D - CONTINUED CASE EVALUATION RUBRIC - CONTINUED

STEP 5: Next, review the most appropriate disciplinary option based on the aggravating factors and mitigating factors identified in this case.

NET DOUGLAS FACTOR EVALUATION SCORE:

-3

NO	NO EMPLOYEE DISCIPLINE
NO	ORAL WARNING
NO	WRITTEN WARNING
NO	OFFICIAL REPRIMAND
YES	SUSPENSION
NO	TERMINATION
NO	NOT APPLICABLE

APPROVED DISCIPLINARY OPTION:

MIN MAX

-27	-14	-13	-2	-1	12
OFFICIAL REPRIMAND		SUSPENSION		TERMINATION	

SELECTION GUIDE:

STEP 6: Next, indicate the disciplinary option that will actually be selected or recommended in this case.

SUSPENSION

STEP 7: Finally, confirm that the disciplinary option actually selected or recommended was the appropriate option based on the aggravating factors and mitigating factors involved.

YES

ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



APPENDIX E ACKNOWLEDGED ORAL WARNING

San Carlos Unified School District # 20



ACKNOWLEDGED ORAL WARNING

Employee: [Last name of employee], [First name of employee]

Employee ID: [Employee ID]

Work location: [Name of work location]

It is necessary to warn you of the following unacceptable conduct or performance:

[Insert description of incident(s)]

Date of Incident(s): [Insert date(s)]

Time of Incident(s): [Insert time(s)]

Employee Code of Conduct violation involved:

[Insert grounds for employee discipline]

Employee Response:

[Insert verbal response, if any, using quotes where possible]

Case facts considered:

[Insert summary of pertinent aggravating and/or mitigating factors identified in Douglas Factor evaluation, including past non-disciplinary counseling, if applicable]

Acknowledgement of Receipt

I acknowledge receipt of the above-referenced disciplinary action and confirm ☐ deny ☐ the accuracy of the account herein. I was ☐ was not ☐ given an opportunity to verbally respond to these allegations.

I understand that I may respond in writing to this action on or before [insert date] and that any written response should be either: 1). Hand-delivered to the issuing supervisor; or 2). Submitted to his or her office in a sealed envelope. Any response will be acknowledged in writing. I further understand that a copy of this action will be retained in an [Unofficial Supervisor's File (USF)] and that any written response submitted will be attached.

Finally, I also understand that failure to remediate the action(s) or behavior(s) referenced herein may result in further disciplinary action, up to and including suspension or dismissal.

Supervisor signature

Employee signature

Supervisor name (PRINT)

Employee name (PRINT)

Date of signature

Date of signature

Attachments: [Examples: investigation artifacts, written response]
cc: [Unofficial Supervisor's File (USF)]

**ADMINISTRATIVE GUIDELINES:
EMPLOYEE CODE OF CONDUCT (SCUSD)**



**APPENDIX E - CONTINUED
*ACKNOWLEDGED ORAL WARNING - CONTINUED***

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ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



APPENDIX F WRITTEN WARNING

San Carlos Unified School District # 20



[Insert date]

[First name of employee] [Last name of employee] [Employee ID]
[Name of work location]

RE: WRITTEN WARNING

Dr./Mr./Mrs./Ms. [Last name of employee]:

On [insert date(s) of incident(s)] at [insert time(s) of incident(s)], [insert description of incident(s)].

When asked about [this incident/these incidents] on [insert date of verbal response], you indicated that [insert verbal explanation or relevant information in quotes where possible].

[This incident/These incidents] represent [insert grounds for employee discipline], which is a violation of the Employee Code of Conduct (see attached copy of ECOC violation). As a result, I am hereby advising you that I have issued a written warning in response on the date indicated below.

Prior to taking this disciplinary action, the following case facts were considered: [Insert summary of pertinent aggravating and/or mitigating factors identified in Douglas Factor evaluation, including past non-disciplinary counseling or disciplinary action(s), if applicable].

As a reminder, I expect [insert specific building/site level expectation(s) for employee action(s) or behavior(s)]. You are a valued member of my team, and I am confident that you will consider the potential ramifications of [this incident/these incidents] on [department/district operations, student achievement, etc.].

Acknowledgement of Receipt

I acknowledge receipt of the above-referenced disciplinary action and confirm ☐ deny ☐ the accuracy of the account herein. I was ☐ was not ☐ given an opportunity to verbally respond to these allegations.

I understand that I may respond in writing to this action on or before [insert date] and that any written response should be either: 1). Hand-delivered to the issuing supervisor; or 2). Submitted to his or her office in a sealed envelope. Any response will be acknowledged in writing. I further understand that a copy of this action will be retained in an [Unofficial Supervisor's File (USF)] and that any written response submitted will be attached.

Finally, I also understand that failure to remediate the action(s) or behavior(s) referenced herein may result in further disciplinary action, up to and including suspension or dismissal.

Supervisor signature

Employee signature

Supervisor name (PRINT)

Employee name (PRINT)

Date of signature

Date of signature

Attachments: [Examples: investigation artifacts, copy of ECOC violation, written response]
cc: [Unofficial Supervisor's File (USF)]

**ADMINISTRATIVE GUIDELINES:
EMPLOYEE CODE OF CONDUCT (SCUSD)**



**APPENDIX F - CONTINUED
*WRITTEN WARNING - CONTINUED***

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ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



APPENDIX G EXAMPLE: OFFICIAL REPRIMAND

San Carlos Unified School District # 20



[Insert date]

[First name of employee] [Last name of employee] [Employee ID]
[Name of work location]

RE: OFFICIAL REPRIMAND

Dr./Mr./Mrs./Ms. [Last name of employee]:

On [insert date(s) of incident(s)] at [insert time(s) of incident(s)], [insert description of allegation(s)].

When asked about [this allegation/these allegations] on [insert date of verbal response], you indicated to [insert name and/or title of investigator] that [insert verbal explanation or relevant information in quotes where possible].

The ensuing investigation has confirmed [this allegation/these allegations] to be factual and that you have engaged in the following violation of the Employee Code of Conduct: [insert grounds for employee discipline]. In accordance with district policy (see attached copy of ECOC violation), I am hereby advising you that an official reprimand was issued in response on the date indicated below.

Prior to taking this disciplinary action, the following case facts were considered: [Insert summary of pertinent aggravating and/or mitigating factors identified in Douglas Factor evaluation, including past non-disciplinary counseling or disciplinary action(s), if applicable].

This action serves as formal notification that the district expects [insert specific district level expectation(s) for employee action(s) or behavior(s)] in accordance with [insert statutory/policy reference] (see attached). It is recommended that you consider the seriousness of your misconduct, since failure to correct the action(s) or behavior(s) referenced herein may result in further formal disciplinary action, up to and including suspension or dismissal.

Should you wish to respond to this action in writing, you may do so on or before [insert date]. Any written response should be submitted directly to the [Office of Human Resources] in a sealed envelope and will be acknowledged in writing. A copy of this action, along with any written response submitted, will be retained in your [Official Personnel File (OPF)].

This action may ☐ may not ☐ be grieved or otherwise contested in accordance with state statute or district policy. A copy of your rights and responsibilities is ☐ is not ☐ attached.

Any questions regarding this action should be submitted in writing to the [Office of Human Resources].

Regards,

Acknowledgement of Receipt:

Superintendent/designee signature

Employee signature

Superintendent/designee name and title (PRINT)

Employee name (PRINT)

Date of action

Date of receipt

Attachments: [Examples: investigation artifacts, copy of ECOC violation/statute/ policy, written response]
Enclosures: [Contest rights and responsibilities disclosure]
cc: [Official Personnel File (OPF)]

**ADMINISTRATIVE GUIDELINES:
EMPLOYEE CODE OF CONDUCT (SCUSD)**



APPENDIX G - CONTINUED

EXAMPLE: OFFICIAL REPRIMAND - CONTINUED

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ADMINISTRATIVE GUIDELINES: EMPLOYEE CODE OF CONDUCT (SCUSD)



APPENDIX H

EXAMPLE: ACKNOWLEDGEMENT OF RECEIPT

San Carlos Unified School District # 20



ACKNOWLEDGEMENT OF RECEIPT: ECOC

I acknowledge that I have read, understand, and agree to abide by, and have been given an opportunity to ask questions about the San Carlos Unified School District Employee Code of Conduct (ECOC). My signature below does not necessarily indicate agreement with the ECOC, but I understand that the Board of Education will hold me accountable for the expectations referenced therein.

Employee signature

Employee name (PRINT)

Date of signature

This acknowledgement will be issued to each (Institution name) San Carlos Unified School District employee on an annual basis and shall be retained in his or her Official Personnel File (OPF).

cc: Official Personnel File (OPF)

**ADMINISTRATIVE GUIDELINES:
EMPLOYEE CODE OF CONDUCT (SCUSD)**



APPENDIX H - CONTINUED

EXAMPLE: ACKNOWLEDGEMENT OF RECEIPT - CONTINUED

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