

Disciplinary Action/Suspension/Dismissal

The Superintendent is directed to adhere to the following regulations and procedures for the dismissal, suspension or demotion of any employee for reasons of incompetence, willful neglect of duty, malfeasance, immoral or improper conduct, insubordination, behavior in violation of the policies and regulations of the district, mental and/or physical illness or disability and actions which are, in the opinion of the Board of Education, a hindrance to the district, the staff or the students. A notice of disciplinary action taken shall contain a statement in ordinary and concise language of the specific charges on which the disciplinary action is based. The notice shall contain specific action or behavior with which the employee is charged. Dismissal or demotion will be made only for just and reasonable cause, and only after written charges have been filed. The Board, acting through its Superintendent, will notify the employee in writing, stating the charges brought against him/her, and if necessary, arrange for a hearing to be held. Disciplinary sanction up to and including dismissal and referral for prosecution will be imposed on employees who violate the standards of conduct or commit a crime against State or Federal law.

Employees will be given a copy of the standards and the statement of disciplinary sanctions, as well as information about any drug and alcohol counseling and rehabilitation programs that are available to employees.

Definitions:

“Suspension” means temporary removal of an employee from a position with loss of pay, as a disciplinary measure, or removal from a position preliminary to a decision by the Board on charges leading to dismissal or demotion.

“Demotion” means reduction of an employee from a given class or group of similar positions combined under a common title to a class or group having a lower salary rate.

“Dismissal” means separation, discharge or permanent removal of an employee from service in the district for cause, in accordance with the policies and regulations of the district.

Suspension of the Employee Pending Disciplinary Action by the Board

Except where circumstances justify, disciplinary action shall follow this order: (a) verbal warning, (b) written warning-probation, (c) suspension and (d) demotion and/or dismissal. In any case where the Superintendent or his/her designee deems it necessary or proper, the employee may be suspended until the Board of Education has determined what disciplinary action to take, if any, against the employee.

This suspension shall be without pay, except that if the Board of Education denies the recommendation of the Superintendent or designee, the employee shall be entitled to full pay for the suspension period. If the Board modifies the recommendation of the Superintendent, the Board shall determine as part of its action whether the suspension or any part of the suspension shall be without pay.

Just Cause

One or more of the following causes may be sufficient grounds for imposing a disciplinary measure:

1. Incompetency, inefficiency, or ineffectiveness in the performance of the duties of the assigned position;
2. Insubordination (including, but not limited to, refusal to do assigned work);
3. Carelessness or negligence in the performance of duty or in the care or use of district Property;
4. Discourteous or offensive or abusive language or conduct toward other employees, students or the public;
5. Dishonesty;
6. Drinking alcoholic beverages on the job, or reporting for work while intoxicated;
7. The unlawful possession, use, or distribution of illicit drugs or alcohol on school premises or as part of any of its activities;
8. Personal conduct unbecoming an employee of the district;
9. Engaging in political activities during assigned hours of employment or otherwise in violation of applicable policies or regulations of the district;
10. Conviction of any crime involving moral turpitude, including a sex offense;
11. Repeated and unexcused absences or tardiness;
12. Abuse of leave privileges;

13. Falsifying any information supplied to the school district, including but not limited to, information supplied on application forms, employment records or any other school district records;
14. Persistent violations of, or refusal to obey, safety rules and regulations made applicable to the public schools by the Board of Education, the Superintendent or by any appropriate state or governmental agency;
15. Offering anything of value or offering any service in exchange for special treatment in connection with the employee's job or to any member of the public;
16. Abandonment of position.

Consequences for the Use, Sale or Possession of Controlled Substances or Alcohol

Any employee using, possessing, or selling controlled substances on school premises or as part of any of its activities shall automatically be subject to the following actions:

First Violation: Any employee found to be in violation of the policy for the first time during his/her tenure in the North Canaan Elementary School will be referred by the Superintendent to an appropriate agency licensed to assess and treat drug/alcohol involved individuals. If the employee does not agree to be assessed and participate or agrees to participate and then fails to complete the program prescribed by the agency he/she will be dismissed.

Any employee convicted of selling or distributing a controlled substance will be dismissed. In cases of possession, law enforcement officials will be notified. The violator will also be subject to disciplinary action stipulated in this policy.

Second Violation: The law enforcement agency will be notified of all second violations involving a controlled substance. Employees who are convicted of workplace drug abuse will be dismissed.

Legal Reference: **Connecticut General Statutes**

10-151(b) Employment of teachers. Definitions. Tenure, etc.
(as amended by P.A. 10-111, and P.A. 12-116, An Act Concerning

Educational Reform)

10-154 (a) Professional communications between teacher or nurse and student. Surrender of physical evidence obtained from students.

21(a)-240 Definitions

Approved: March 14, 1996

Revised: April 21, 2020

NORTH CANAAN BOARD OF EDUCATION

North Canaan, Connecticut