

DISCIPLINARY ACTION AND DISCHARGE

Staff who fail to fulfill their job responsibilities or follow the reasonable directions of their administrators or who conduct themselves on or off the job in ways that affect their effectiveness on the job may be subject to disciplinary action or discharge. Behavior, conduct, or action which provides sufficient cause may warrant disciplinary action or discharge. Such behavior, conduct, or action may include, but is not limited to:

- 1) Incompetence.
- 2) Inefficiency.
- 3) Misappropriation or misuse of NWESD 189 property.
- 4) Neglect of duty.
- 5) Insubordination.
- 6) Conviction/guilty plea of any crime which adversely affects the employee's ability to perform a job including any felony crime involving:
 - A) The physical neglect of a child.
 - B) The physical injury or death of a child.
 - C) Sexual exploitation of a child.
 - D) Sexual offenses.
 - E) Promotion of a minor for prostitution purposes.
 - F) The sale or purchase of a minor child.

[employees are required to report in writing to the Superintendent any conviction or guilty plea of the above referenced crimes (and of any other crimes that are workplace related) within five (5) days of conviction or guilty plea].
- 7) Malfeasance.
- 8) Misconduct.
- 9) Inability to perform job functions.
- 10) Willful violation of NWESD 189 policies and procedures or laws and regulations.
- 11) Mistreatment, abuse or assault of fellow workers, students, or members of the public.
- 12) Conflict of interest.
- 13) Abuse of leave.

- 14) Sexual harassment, verbal abuse, physical abuse or sexual misconduct.
- 15) Manufacture, possession, distribution, sale or being under the influence of alcohol controlled, illegal, addictive or harmful substances including anabolic steroids.
- 16) Conduct (whether on the job or off the job) that has a substantial negative impact on performance.
- 17) Mental or physical inability to perform the essential job duties.
- 18) Intemperance.
- 19) Intentional discrimination.
- 20) Vulgar speech or actions.
- 21) Use of habit forming drugs without pharmaceutical prescription by a doctor of medicine licensed to practice in the state of Washington.
- 22) Use of alcoholic beverages on NWESD 189 premises or at a NWESD 189 sponsored activity off the NWESD 189 premises.
- 23) Use of NWESD 189 supplies and equipment for personal betterment or financial gain or other improper purposes.

In the event that allegations or charges are made against a staff member for misconduct with minors, the Superintendent may contact the Child Protective Services central registry for evidence regarding whether the staff member is an adjudicated or admitted perpetrator of child abuse or neglect. Appropriate reports will also be made to law enforcement, the Office of the Superintendent of Public Instruction, and the student's parents or guardians, as required by law.

Abuse and Sexual Misconduct

The NWESD 189 will not enter into any contract that is contrary to law to suppress information about verbal or physical abuse or sexual misconduct by a present or former employee and will comply with all legal requirements regarding such misconduct.

Suspension of Staff

The Superintendent or designee is authorized to suspend a staff member immediately as deemed appropriate.

First Reading:	08/27/84 (as 4460, 4470, 4480)	Reference:
Second Reading:	02/26/92 (as 4460, 4470, 4480)	RCW 28A.310.180
Revised:	05/23/01 (recodified 5281)	RCW 28A.310.200
Revised:	11/25/02	RCW 28A.310.220
Revised:	03/23/05	RCW 28A.310.250
Revised:	02/25/15	RCW 28A.310.260

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01/27/16

RCW 28A.400.320

RCW 28A.400.340

RCW 28A.405.300

RCW 28A.405.310

RCW 28A.405.470

RCW 28A.410.090

RCW 49.44.200

WAC 181-86

WAC 181-87

WAC 180-44-060

WAC 180-75-043

Cross Reference:

Policy 5240

Policy 5280