

Pataula Charter Academy and Spring Creek Charter Academy Progressive Discipline Policy

Purpose: The purpose of this policy is to give guidance in the employee discipline process should any employee at Pataula Charter Academy (PCA) and Spring Creek Charter Academy (SCCA), including lead administrative personnel, fail to meet any of his/her job expectations or violate the PCA, Inc. Code of Ethics.

Definitions:

Direct Supervisor – Any PCA or SCCA employee designated in his/her job description to monitor and regulate other paid employees in the areas of job performance and conduct, and the Governing Board as pertains to the Superintendent and Chief Financial Officer.

Lead Administrative Personnel - The Superintendent and the Chief Financial Officer (CFO).

Policy Statement: PCA and SCCA expect all employees, including lead administrative personnel to perform the responsibilities of their position in a manner that meets the expectations set in his/her job description and to the PCA and SCCA Code of Ethics as well as in compliance with all administrative procedures, work rules, applicable school policies, and Federal, State and Local laws. As such it shall be the policy of PCA and SCCA to utilize the following progressive discipline framework to:

1. Address incidents of inappropriate employee conduct,
2. Prevent reoccurrences of inappropriate employee conduct,
3. Remediate poor job performance, and
4. Address violations of the Code of Ethics.

In addressing any employee disciplinary incident, employees shall be presumed innocent until an investigation has deemed otherwise, and treated fairly and with dignity, in a clear, consistent, and professional manner.

Powers of the Governing Board (The Board)

In exercising its powers in the enforcement of this policy, the Governing Board shall be authorized to monitor and review the job performance of Lead Administrators as defined in the By Laws, as well as recommend to the Board, implement, follow up with, and report to the Board on any disciplinary action taken against any Lead Administrator. However, the whole Board shall be involved in determining disciplinary action to be taken as set forth in this policy.

In exercising its powers in the enforcement of this policy The Board shall be authorized to serve as the Personnel Appeals Board in accordance with the PCA and SCCA Staff Complaints Policy.

Powers of Lead Administrators

In exercising his/her powers in the enforcement of this policy, the Lead Administrators shall be involved in determining disciplinary action to be taken as set forth in this policy.

Powers of Direct Supervisors

In exercising its powers in the enforcement of this policy, the Direct Supervisors shall be authorized to monitor and review the job performance of the employees designated to be under their supervision, and implement as needed, the procedures for discipline, suspension, or termination as set forth in this policy.

I. Guidance for Progressive Discipline of PCA and SCCA Personnel

In the event that a direct supervisor has cause for discipline of an employee the following steps shall be taken in a progressive manner. **However, depending on the seriousness of the offense, progressive discipline may not be appropriate and any disciplinary action may be imposed including, but not limited to, immediate termination.**

Step 1: First Written Reprimand

In the event an employee has given cause for disciplinary action the direct supervisor shall issue a written reprimand as follows:

- For Lead Administrative Personnel the Governing Board will issue the first written reprimand. The original copy of the signed first written reprimand must be filed in the disciplinary file of the employee and a copy of the signed first written reprimand must be given to the employee within 24 hours of the warning. Notification of the disciplinary step must be given to the Board at the next regularly scheduled meeting.
- For All Other Employees the direct supervisor will issue the first written reprimand. The original copy of the signed first written reprimand must be filed in the disciplinary file of the employee and a copy of the signed first written reprimand must be given to the employee within 24 hours of the warning. Notification of the disciplinary step must be given to the Superintendent or CFO (dependent upon who oversees the direct supervisor issuing the disciplinary step) within 24 hours of the warning.

ALL first written reprimand must include the following:

1. A clear statement that it is the first written reprimand,
2. A clear statement of the issue(s) leading to the need for the warning, and
3. A clear statement as to the corrective action(s) the employee must take to resolve the issue(s).

The employee will have the option of placing a responsive memo in his or her personnel file within 2 weeks of the issuance of the warning.

In addition to the written reprimand one or more of the following actions may be taken at the time of the reprimand, depending on the nature and severity of the incident:

1. Suspension without pay for a period of time not to exceed (5) working days. In such event, the employee shall provide no services for the school and shall receive no compensation but shall be considered an employee on suspended status,
2. If the incident is related to an additional job duty with stipend, that job duty and stipend may be stripped.

Step 2: Second Written Reprimand

Should the employee fail to correct the issue(s) stated in the first warning and in accordance with Step 1 the employee's direct supervisor shall issue a second written reprimand as follows:

- For Lead Administrative Personnel the Governing Board will issue the second written reprimand. The original copy of the signed second written reprimand must be filed in the disciplinary file of the employee and a copy of the signed second written reprimand must be given to the employee within 24 hours of the warning. Notification of the disciplinary step must be given to the Board at the next regularly scheduled meeting.
- For All Other Employees the direct supervisor will issue the second written reprimand. The original copy of the signed second written reprimand must be filed in the disciplinary file of the

employee and a copy of the signed second written reprimand must be given to the employee within 24 hours of the warning. Notification of the disciplinary step must be given to the Superintendent or CFO (dependent upon who oversees the direct supervisor issuing the disciplinary step) within 24 hours of the warning.

ALL second written reprimands must include the following:

1. A clear statement that it is the second written reprimand,
2. A clear statement of the issue(s) leading to the need for the second written reprimand,
3. A clear statement as to the corrective action(s) the employee is to take to resolve the issue(s),
4. A clear statement as to the time frame for these actions to be implemented,
5. A clear statement that failure to resolve the issue(s) will result in further disciplinary action to possibly include, but not limited to, termination,
6. The signature of the direct supervisor, and
7. The signature of the employee or documentation of the attempt thereof.

The employee will have the option of placing a responsive memo in his or her personnel file within 2 weeks of the issuance of the warning.

In addition to the written reprimand one or more of the following actions may be taken at the time of the reprimand, depending on the nature and severity of the incident:

1. Suspension without pay for a period of time not to exceed (10) working days. In such event, the employee shall provide no services for the school and shall receive no compensation but shall be considered an employee on suspended status,
2. If the incident is related to an additional job duty with stipend, that job duty and stipend may be stripped.

Step 3: Third Written Warning/Escalated Action

In the event that the employee does not correct the issue(s) stated in the second written reprimand, further action to be taken shall be taken as follows:

- For Lead Administrative Personnel the Governing Board will meet in a timely manner to determine what action is to occur.
- For All Other Employees the direct supervisor will meet with the Superintendent or CFO (dependent upon who oversees the direct supervisor issuing the escalated action) in a timely manner to determine what action is to occur.

For ALL employees further action to be taken may include, but not be limited to, the following:

1. Demotion,
2. Suspension without pay for a period of time not to exceed sixty (30) working days. In such event, the employee shall provide no services for the school and shall receive no compensation but shall be considered an employee on suspended status,
3. If the incident is related to an additional job duty with stipend, that job duty and stipend may be stripped.
4. Recommendation to the Board for Non-renewal of the employee's contract, or
5. Recommendation to the Board for Termination of employment and immediate dismissal.

Immediate Action Guidelines

Except as otherwise provided in this policy, any lead administrator or other employee may be immediately terminated, non-renewed, suspended, and/or demoted for the following reasons:

1. Incompetency;

2. Insubordination;
3. Willful neglect of duties;
4. Breach of Code of Ethics;
5. Immorality;
6. Inciting, encouraging, or counseling students to violate any valid state law, municipal ordinance, or policy or rule of the Board;
7. To reduce staff due to loss of students, loss of funding, lack of funding, or cancellation of programs;
8. Failure to secure and maintain necessary educational training;
9. Conduct that is detrimental to, or does not promote, any of the objectives and purposes of Pataula Charter Academy or Spring Creek Charter Academy; or
10. Any other good and sufficient cause.

A lead administrator or other employee shall not be terminated, non-renewed, suspended, or demoted for refusal to alter a grade or grade report if the request to alter a grade or grade report was made without good and sufficient cause.

II. Guidance for Decisions on Renewal of Teacher/Leader Contracts

For decisions on renewal of teacher contracts based on teacher effectiveness, a Professional Development Plan that correlates to the state teacher/leader evaluation system, may also be implemented. The Plan must include:

1. Goals/Objectives for improvement
2. Measures for each goal/objective
3. Plan review periods or dates
4. Signature of Teacher and Supervisor
5. Notes section for Supervisor and/or Teacher to make comments if desired

The Direct Supervisor of the Teacher/Leader will determine if the goals have been sufficiently met or if there has been sufficient growth towards meeting. Direct Supervisors will make recommendations for renewal or non-renewal to the Superintendent, who will make a recommendation to the Board. Renewal decisions are not subject to the above-mentioned steps of Progressive Discipline.

III. Guidance for Appealing Disciplinary Action

Should any lead administrator or employee disagree with the disciplinary action he/she has received he/she does have the right to appeal such action as follows:

- Lead administrative personnel shall make all appeals to the Deputy Appeals Committee of Teacher and Student Support at the Georgia Department of Education.
- All other employees shall make an appeal against disciplinary action as directed in the PCA and SCCA Staff Complaints Policy.