

Book	Policy Manual
Section	FOR BOARD APPROVAL - Volume 38, No 2, April 2026
Title	Updated Copy of STAFF DISCIPLINE
Code	po3139
Status	
Adopted	February 26, 2006
Last Revised	February 19, 2019

3139 - **STAFF DISCIPLINE**

The **School** Board believes that standards of conduct for professional employees are necessary to provide students with a positive example of adult behavior and an orderly **and efficient** instructional environment. ~~To this end, the Board has adopted a policy of progressive discipline to be applied except in cases of gross misconduct. In instances of gross misconduct, the purpose of this policy is to consider if the misconduct warrants suspension without pay or termination.~~

~~As used in this policy, "progressive discipline" means imposition of the least severe sanction that the Board determines, in its sole discretion, to be likely to prevent a recurrence of the offense.~~ If the Board finds facts that support the use of **progressive** discipline, the Board may impose a penalty which may include, but not be limited to one or more of the following:

- A. Verbal counseling/oral warning in which a verbal conference between the employee and his/her supervisor is held.
- B. A written warning which is a formal notice of a performance problem or inability to follow established policy. This notice serves as a warning that continued infractions will not be tolerated and may result in recommendation for discharge.
- C. Probation for a period of time determined by the supervisor in connection with the written warning.
- D. Suspension without pay imposed in compliance with the applicable Indiana statutes.
- E. Termination imposed in compliance with applicable Indiana statutes.

~~Exceptions to the principle of progressive discipline contained in this policy may be made in cases in which the Board finds that the interests of students and the school community make the application of the principle of progressive discipline inappropriate.~~ Examples **of gross misconduct that may result in termination** include, but are not limited to the following:

- A. Reporting for duty under the influence of an alcoholic beverage, an illegal drug, or a prescription drug used other than in accordance with a prescription.
- B. Possession or use of alcoholic beverages or drugs on school property or at an event sponsored by the Board.
- C. Willful refusal to follow **Board policies established** rules, or standards for the conduct of a professional employee, i.e. insubordination.
- D. **Repeated violations of board policies, rules, or standards.**
- E. Theft, fraud, or another violation of criminal law.
- F. Arrest and subsequent conviction of a crime.
- G. Falsification or omission of a material fact in the application for employment by the Board.
- H. Threats of and/or acts of violence to a person or substantial property damage.
- I. Poor professional judgment resulting in a risk of physical harm to a person.

J. Harassment in violation of Board policy on harassment.

K. Other just or good cause.

In the event a professional staff member is recommended for suspension without pay or dismissal, the procedures required by Indiana law will be implemented.

Professional employees of the Board shall be paid on a "salary basis" and suspension of a professional employee without pay shall not negate the professional employee's exemption from the Fair Labor Standards Act overtime provisions pursuant to 29 C.F.R. 541.303.

Revised 3/19/13

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I.C. 20-28-6

I.C. 20-28-7.5

I.C. 20-28-9-21 and -22

29 C.F.R. 541.303