

## Title: Due Process for Discipline and Dismissal of an Employee

### Control Information

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Owner/Curator	Christine Horning
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### Revision History

Revision	Date	Revision Description	Originator
A	2008	Initial Release	Mark Hazelton
B	8/14/2014	Number and format revision	Melissa Harris

## 1.1. Objective:

The objective of this policy is the following:

- 1.1.1. Ensure that sufficient communication occurs so that any unsatisfactory performance that could lead to termination is clearly understood by the employee whose performance is in question.
- 1.1.2. Define the procedure for terminating employees due to performance reasons.

## 1.2. Definition of Performance:

Performance is the ability of an employee to perform the duties expected of their position for which they are employed. These duties and expectations include, but are not limited to, those spelled out in the job description/offer, and any other tasks as assigned.

## 1.3. Procedure:

- 1.3.1. Upon first occurrence of unsatisfactory performance, the employee will be provided a verbal warning with the following language: "You are receiving a verbal warning regarding your performance for the following reasons\_\_\_\_\_. Do you understand?" A written formal plan shall then be created with goals for correcting the deficiency, including dates for completion.
- 1.3.2. Upon second occurrence of unsatisfactory performance, a written warning shall be provided and the formal plan for correction reviewed, and if needed, updated.
- 1.3.3. Continued unsatisfactory performance after the written warning or failure to complete the correction plan is grounds for termination.
- 1.3.4. All terminations must be approved in advance by the board of directors.

## 1.4. Conduct Based Discipline and Dismissal:

- 1.4.1. Notwithstanding all performance based discipline and termination proceedings outlined in 1.2 and 1.3, Muddy Creek Charter School may also discipline, up to and including dismissal, any employee for:
  - a) Immorality
  - b) Insubordination
  - c) Physical or mental incapacity
  - d) Failure to comply with requirements to show normal improvement in professional training and growth
  - e) In regards to teachers, any cause which constitutes grounds for the revocation of such contract teacher's teaching license or registration with the Teachers Standards and Practices Commission.

- f) Any other actions deemed in good faith sufficient by Muddy Creek Charter School.
- 1.4.2. If an employee is to be terminated for failure to abide by the above requirements, they shall be notified of this intent prior to board action and may request a hearing on the matter before the Board of Directors.