

CARMAN-AINSWORTH COMMUNITY SCHOOLS

TEACHER DISCIPLINE AND DISCHARGE

Except as otherwise provided within MCL 38.101 of the Teachers' Tenure Act, the discharge, demotion, or discipline of any employee whose employment is regulated by MCL 38.71 to 38.191 hereinafter "Teacher," may be made only for a reason that is not arbitrary or capricious.

Any such discipline, reprimand, suspension, or discharge imposed by the District shall be subject to the procedures as set forth herein:

1. Written notice will be given by the Administration to the Teacher of any incident, complaint, or charge that may form the basis for the investigation and any potential disciplinary action.
2. If the complaint alleges child abuse or neglect, the matter shall be reported to Child Protective Services.
3. The Teacher shall be provided with written notice of the time, date, and location of the meeting to provide the Teacher with an opportunity to respond.
4. A Teacher represented by an exclusive bargaining agent under the Public Employment Relations Act shall, upon request, be entitled to union representation at any investigative meeting that the Teacher reasonably believes could result in disciplinary action.
5. The Superintendent (or designee) is authorized to place a Teacher on administrative leave pending the completion of a disciplinary investigation of the alleged or suspected offense, infraction, or misconduct. Administrative leave under this provision is not regarded as a disciplinary measure or penalty.
6. If criminal charges are filed against a teacher before or during the pendency of a disciplinary investigation, a probationary teacher may be placed on unpaid leave during the pendency of the investigation after notice and an opportunity to be heard. Under these circumstances, a tenured teacher's salary shall not be discontinued other than through observance of the pertinent standards and procedures specified in the Teachers' Tenure Act.
7. If it is determined that the Teacher has engaged in an offense, infraction, misconduct, or other behavior warranting discipline, the administration's decision as to the level of discipline shall be guided by the following principles:
 - a. The adequacy and credibility of the evidence derived from investigation.
 - b. The seriousness of the offense, infraction or misconduct.
 - c. The Teacher's prior disciplinary and/or employment record.
 - d. The existence of any relevant aggravating or mitigating factors.

Generally, the District will strive to issue discipline which is progressive in nature. Notwithstanding the foregoing, nothing in this regulation shall preclude the District from issuing any disciplinary measure (including discharge) which is appropriate to the offense, infraction, misconduct, or other behavior warranting discipline as determined by a review of the above

principles, regardless of whether such disciplinary measure has been preceded by any other less severe disciplinary measure.

8. Disciplinary measures may include but are not limited to: verbal written warning, written warning, reprimand, suspension with pay, suspension without pay, and discharge. The District reserves the right, in its sole discretion, to apply disciplinary sanctions it deems appropriate to the specific set of circumstances or facts.
9. The District will strive to inform the Carman-Ainsworth Education Association President any time that discipline is issued to an Education Association Member.
10. The Superintendent (or designee) is delegated the authority under this Administrative Regulation to determine the discipline a Teacher shall receive in all cases except:
 - a. The discharge of either a probationary or tenured Teacher;
 - b. The non-renewal of a probationary Teacher;
 - c. The demotion of a tenured Teacher, as demotion is defined in the Teachers' Tenure Act.