

TERM CONTRACTS
SUSPENSION/TERMINATION DURING CONTRACT

DFBA
(REGULATION)

SUSPENSION AND /
OR DISMISSAL

The Superintendent has the responsibility of determining transfer, reassignment, or suspension with pay, and/or to recommend to the Board suspension without pay or termination of any employee during the school year when circumstances exist that affect the ability of the employee to effectively perform his or her assigned duties, or when the conduct of the employee is, or has been, detrimental to students, or when the continued presence of the employee at his or her assigned position is not in the best interest of the District.

INVESTIGATION

When the District receives information and/or documentation concerning the conduct of any employee that may affect the ability of the employee to effectively perform assigned duties, or that the conduct of the employee is or may be detrimental to students, or that it may not be in the best interest of the District for the employee to continue in his or her assigned position, an investigation shall be conducted.

NOTICE TO THE
EMPLOYEE

When the investigation is completed, the appropriate human resources administrator shall notify the employee, as appropriate, if the conduct of the employee meets the guidelines for personnel action under this administrative regulation including transfer, reassignment, suspension (with or without pay), and/or dismissal. The employee shall be promptly advised of the investigation and results of the investigation and shall be provided an opportunity to respond to the information and any proposed personnel action.

PROCEDURE

After the initial notice to the employee and upon hearing the employee's response, the ~~appropriate human resources administrator~~ **SUPERVISOR** shall ~~submit forward~~ **SUBMIT** forward a recommendation to the ~~associate superintendent~~ **CHIEF HUMAN CAPITAL MANAGEMENT OFFICER** ~~associate superintendent~~ for human resources to review. ~~If the employee or his or her representative is not able to meet with the appropriate human resources administrator due to reasons beyond the employee's control or because of a refusal to meet, the appropriate human resources administrator shall forward a recommendation to the associate superintendent for human resources to review.~~

~~If warranted, the associate superintendent for human resources may meet with the employee and/or representative.~~

UPON REVIEW OF THE RECOMMENDATION THE CHIEF HUMAN CAPITAL MANAGEMENT OFFICER ~~Subsequently the associate superintendent~~ for human resources shall submit ~~THE~~ a recommendation to the Superintendent.

The Superintendent shall review the **RECOMMENDATION AND** reports of the investigation to determine whether ~~THE~~ any personnel action should be taken or a recommendation should be made to the Board.

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NOTICE OF
PERSONNEL
ACTION

TRANSFER
AND / OR
REASSIGNMENT

In the event of a personnel action, the Superintendent shall notify the employee, in writing, and advise the employee of the following:

1. In the case of transfer, reassignment, and/or suspension with pay, the Superintendent will state the reasons for said action. The Superintendent's decision may be appealed to the Board upon the employee's timely written request filed with the Superintendent or designee after the decision is communicated to the employee pursuant to the District's grievance procedure. [See DGBA(LOCAL)]

SUSPENSION OR
TERMINATION

2. In the case of a proposed suspension without pay or a proposed termination, the requirements and procedures of DFBA (LEGAL) and (LOCAL) shall be observed.

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