

Multnomah Education Service District

Code: **GCPD**
Adopted: 9/20/94
Readopted: 3/21/95; 7/18/95; 10/18/05
Orig. Code(s): 3270; 3280; 4700; 4710

Discipline and Dismissal of Employees

Discipline

The Superintendent is authorized to discipline an employee for infractions of Board policy, administrative regulations or department regulations, for failure to fulfill the requirements of the job as specified in the job description or for other sufficient reasons.

Authorized disciplinary measures include oral reprimand, written reprimand and/or suspension.

Suspension

When deemed in the best interest of MESD, the Superintendent may suspend with pay or place on paid administrative leave any employee for a period not to exceed the number of workdays from the date of suspension through the date of the next regularly scheduled meeting of the Board, at which time the Board will authorize the Superintendent to take action appropriate to the Superintendent's authority.

The Superintendent may suspend any employee(s), who is paid on an hourly basis, without pay for a period not to exceed five (5) working days when deemed in the best interest of MESD by the Superintendent unless precluded by law.

Notwithstanding Board policy, when presented with evidence that may cause the Superintendent to recommend the dismissal of an employee(s), who is paid on an hourly basis, the Superintendent may suspend the employee without pay pending investigation of the evidence and a decision by the Board.

Temporary employees may be discharged for reasons deemed sufficient by the Superintendent.

Contracted Staff Subject to the Fair Dismissal Law

The Board of any fair dismissal district may discharge or remove any probationary teacher in the employ of the district at any time during a probationary period for any cause deemed in good faith sufficient by the Board. The probationary teacher shall be given a written copy of the reasons for his/her dismissal and upon request shall be provided a hearing thereon by the Board, at which time he/she shall have the opportunity to be heard in his/her own defense either in person or by a representative of his/her choice.

The Board may, for any cause it may deem in good faith sufficient, refuse to renew the contract of any probationary teacher. However, the teacher shall be entitled to notice of the intended action by April 1 and upon request shall be provided a hearing before the Board. Upon request from the probationary teacher, the Board shall provide the probationary teacher a written copy of the reasons for non-renewal, which shall provide the basis for the hearing.

If an appeal is taken from any hearing, the appeal shall be to the Circuit Court for the county in which the headquarters of the district is located and shall be limited to:

1. The procedures at the hearing;
2. Whether the written copy of reasons for dismissal required by this section was supplied; and
3. In the case of non-renewal whether notice of non-renewal was timely given.

No contract teacher shall be dismissed except for the following:

1. Inefficiency;
2. Immorality;
3. Insubordination;
4. Neglect of duty;
5. Physical or mental incapacity;
6. Conviction of a felony or of a crime according to the provisions of ORS 342.143;
7. Inadequate performance;
8. Failure to comply with such reasonable requirements as the Board may prescribe to show normal improvement and evidence of professional training and growth;
9. Any cause which constitutes grounds for the revocation of such contract teacher's teaching license.

In determining whether the professional performance of a contract teacher is adequate, consideration shall be given to regular and special evaluation reports prepared in accordance with the policy of the employing district and to any written standards of performance which shall have been adopted by the Board.

Contracted Staff Not Under Fair Dismissal Law

Causes of dismissal for contracted staff not under Fair Dismissal Law shall be those as determined by the Board.

Non-Contracted Staff

The Superintendent is authorized to terminate the employment of non-contracted employees for sufficient reasons.

END OF POLICY

Legal Reference(s):

[ORS 243.672](#)
[ORS 243.706](#)
[ORS 243.756](#)
[ORS 342.835](#)

[ORS 342.865 - 342.910](#)
[ORS 342.934](#)
[ORS 652.140](#)

[OAR 584-020-0040](#)