# ARTICLE VII

# ~~PUPIL~~ DISCIPLINE

The District and Association agree that maintaining an engaging, safe and secure environment is essential for teaching and learning. Students cannot function effectively if they do not feel safe in schools and do not have positive relationships with teachers and other adults at school. Teachers cannot provide the highest level of instruction and engagement to promote student success if there are frequent disruptions by students. The District and Association are committed to positive and consistent discipline protocols within our schools. We acknowledge that consequences must exist for behaviors that threaten the safety of others and interfere with learning. Together we are committed to promoting practices that support positive relationships and strengthen school climate to minimize interruptions and maximize student learning.

1. Pupil Discipline

A. A written description of the rights and duties of bargaining unit members and administrators with respect to student discipline shall be presented to each bargaining unit member in the staff handbook prior to the first day of instruction of the school year.

B. The Board shall not take disciplinary action against a bargaining unit member who uses restraining force against a student unless and until the District has conducted an investigation to determine the factual circumstances of the need for such restraining force.

C. ~~Unit members shall immediately report cases of assault and/or battery suffered by them in connection with their employment to the principal or other immediate supervisor.~~ Bargaining unit members shall report in writing to their immediate supervisor, as soon as possible, any practice, condition or act which threatens the health or safety of students, unit members, or other staff.

D. District management shall investigate such matters described in Section C. above and take the appropriate action deemed reasonable and appropriate to correct or modify the condition.

2. Employee Discipline

The District shall have the right to discipline unit members for sufficient cause. Appropriate, progressive discipline shall be followed in cases of disciplinary action. The following steps will be utilized in sequential order; however, the process may be initiated at any level if, in the opinion of the supervisor, such action is warranted:

1. Verbal or written warning not to initially be placed in personnel file
2. Meeting with administrator and the unit member followed by a written Conference Summary memorializing the meeting. The Conference Summary will not initially be placed in the personnel file unless further disciplinary action is required
3. Letter of warning or reprimand placed in personnel file with notice of possibility of future appropriate discipline
4. Appropriate additional discipline which may include, but is not limited to, suspension with or without pay for a period of time not to exceed that which is specified in Education Code 44932

3. Procedures to Implement Education Code Section 44948.3

With respect to probationary employees, the following provisions shall apply:

The parties acknowledge that such probationary employees may be dismissed during the school year without pay for a specified period of time under Education Code Section 44948.3. The reasons sufficient to dismiss or suspend during the school year without pay such probationary employee are:

* 1. Unsatisfactory performance determined pursuant to the Stull Act (Education Code Sections 44660, et seq.)
  2. Cause as defined in Education Code Section 44932

NOTE: Part 3 was moved to this article from Article XX and Article XX was eliminated.