# POLICY

SOMERSET COUNTY
BOARD OF EDUCATION

| Date Submitted: | Number: |
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| **Subject:**<br>Disciplinary Procedures | **Date Approved:**<br>March 21, 2000<br>October 17, 2006<br>May 26, 2009<br>**Date Revised:**<br>September 19, 2006<br>March 17, 2009<br>**Date Effective:**<br>March 21, 2000<br>October 17, 2006<br>May 26, 2009 |

## 1. PURPOSE

~~To establish disciplinary procedures for classified employees.~~ To establish rules and set standards of behaviors for all employees of the Somerset County Public Schools

## 2. DEFINITION

**A.** ~~Somerset County Public Schools will strive to assist classified employees to adjust to their positions and to perform their duties satisfactorily. Every effort will be made to avoid dismissing personnel at any level.~~

**B.** ~~The Board of Education directs the Superintendent of Schools to develop and implement regulations for the discipline of classified employees. Such regulations will provide for progressive penalties where appropriate, including warnings and written letters of reprimand, suspension, or dismissal of permanent employees. In some circumstances, because of the seriousness of the employee's conduct or behavior, action may be taken without following progressive penalties cited above. Employees may be suspended or dismissed from positions.~~

~~See Administrative Procedures~~

**A. Immorality** is an act or course of conduct that violates accepted moral principles or standards of right and wrong: behavior which shocks the conscience of parents, students and employees; conduct that is inherently vile, depraved and contrary to

the accepted standards or moral norms in Somerset County. Somerset County Public Schools considers the following as examples of immoral conduct. The list does not include all types of prohibited conduct but is intended to suggest the types of conduct that will not be condoned:

1) An act or conduct of sexual, lude and depraved use of electronic devices between adults and minors: sexting, texting sexually explicit content to minors by the adults, calling and scheduling dates with minors; isolating minors to separate areas of the school in order to seduce them or influence them in any manner;
**2)** Abusive and/or vulgar language including but not limited to racial slurs and vulgar depiction of the minors race, gender, religion, nationality and other protected characteristics;
**3)** Inducing students to participate in/or commit an act or acts of immorality
**4)** Possession, use, distribution, or being under the influence of **alcoholic beverages,** controlled or dangerous substances **on school grounds or otherwise engaged in executing *in loco parentis* duties, e.g., field trips, and any other school system sponsored off-campus events.**
**5)** controlled or dangerous substances
**6)** Theft of school property or the property of others
**7)** Falsification of any school record or employment application
**8)** Possession or distribution of lewd, obscene or pornographic materials on school issued property and equipment and personal property and equipment used on school or facility premises; and other similar immoral acts.

**B. Misconduct in Office** A transgression of a rule, regulation, or reasonable standard of conduct.

Somerset County Public Schools considers the following as examples of misconduct. The list does not include all types of prohibited conduct but is intended to suggest the types of conduct that will not be condoned:

1) Possession, use, distribution, or being under the influence of alcoholic beverages, controlled or dangerous substances on school grounds **or otherwise engaged in executing *in loco parentis* duties, e.g., field trips, and any other school system sponsored off-campus events.**
2) Knowingly failing to report suspected cases of child abuse
3) Harassment and/or intimidation of students, staff or citizens at large including use of racial slurs and/or derogatory remarks
4) Misuse of Somerset County Public School System's property
5) Misrepresentation regarding employee's benefits, privileges and other rules and regulations

**6)** Misrepresentation of Board policies, local procedures, or posting false, misleading and slanderous content on social media sites;
**7)** Deliberately posting deceptive content about Somerset County Public Schools on social media sites
8) Disclosing confidential information to unauthorized persons
9) Dating students or engaging in similar inappropriate conduct
10) Misuse of school funds
11) Disorderly conduct on school property or while on duty which include: fighting, threatening, or attempting to inflict bodily harm on another person
12) Possession of firearms or other weapons on school property
13) Knowingly presenting false information of a material fact to the Board of Education
**14)** The sale or use of tobacco in any form is prohibited in school buildings at all times. In addition, the sale or use of tobacco in any form is prohibited on school grounds during the official school day.

**C. Insubordination** Disobedience to lawful authority and failure to perform all work or duties assigned by an administrator in charge including but not limiting deliberate refusal and failure to follow the written or verbal instruction of a supervisor. Any form of discipline, including immediate termination of employment may be imposed depending upon the circumstances and the specific conduct involved including immediate termination.

**D. Incompetency** Failure to meet acceptable standards of performance. Somerset County Public Schools considers the following as examples of incompetency. The list does not include all types of conduct that will not be condoned.

**1)** Failure to do work thoroughly and completely
**2)** Failure to finish assigned work
**3)** Failure to comprehend the assignment
**4)** Failure to follow performance improvement plan
**5)** Failure to show up at work on time
**6)** Failure to supervise
**7)** Failure to attend training
**8)** Failure to obtain necessary certifications and accreditations and
**9)** Other work related duties which inhibit ordinary performance and satisfaction of employer

Discipline - Any form of discipline may be imposed depending upon the circumstances and the specific conduct involved including but not limited to placing the employee on the Performance Improvement Plan, and setting the time for either improvement or termination.

**E. Willful Neglect of Duty** Failure to follow Public School Law, Code of Maryland Regulations, policies and regulations of the district, directives or job requirements of the school administration.

Somerset County Public Schools considers the following as examples of willful neglect of duty. The list does not include all types of prohibited conduct but is intended to suggest the types of conduct that will not be condoned:

1. Excessive absence
2. Excessive tardiness
3. Unauthorized absence or misuse of leave
4. Negligent failure to perform specific contracted services agreed upon through written agreements
5. Other grossly negligent act in failure to perform required job duty

Discipline - Any form of discipline may be imposed depending upon the circumstances and the specific conduct involved.

~~After completion of the probationary period, employees may be discharged, disciplined, reprimanded, or demoted with due process.~~

~~C. Somerset County Public Schools assures the protection of due process of law in the following way:~~

~~Recommendations for suspensions or discharge will be made to the superintendent. The individual against whom the action is being considered must be notified in writing, given the reasons for the action under consideration, and afforded an opportunity for a conference with the superintendent prior to any final decision on the recommendations. Acceptable documentation of performance evaluations must include records of conferences and a recommendation for action with justification. After an opportunity for a conference has been provided, the superintendent will act on the recommendation and notify the employee in writing of the suspension or discharge action and of his/her right to appeal the decision.~~

**F. Forms of Discipline**

Oral Warning

This is an oral statement to an employee indicating, but not necessarily limited to specific conduct. May be issued by an immediate supervisor or administrator.

**G. Written Warning**

This is a written statement to the employee indicating conduct which is in violation of a rule, regulation, or other requirements; the approximate time(s) of such violation's occurrence; whether the warning is a progressive warning after an oral warning; a clear and complete description of the deficiency or inadequacy of the employee; and suggestions for assistance, or a plan of action, and a time line for improvement. May be issued by an immediate supervisor or administrator and shall be kept in the employee file.

**H. Letter of Reprimand**

This is a written statement which specifies that a specific action, behavior, or conduct has transpired; includes a statement that specifies that the letter is a reprimand; and provides for further action should correction not be taken. The letter may be issued by an immediate supervisor or administrator and should be signed and dated by the employee. A copy should be sent to the Human Resources Office with a notation that a copy will be placed in the employee's personnel file.

**I. Disciplinary Suspension, Administrative Leave, or Dismissal**

Suspension: The temporary disciplinary removal of an employee from an assignment. Suspension may be recommended by the immediate supervisor or administrator to the Superintendent of Schools. Suspension is to be preceded by notice and provisions for an informal opportunity to be heard by the superintendent except where immediate action is required because the employee's presence poses a continuing threat of disrupting the educational process. The superintendent's decision to suspend is subject to appeal to the county Board of Education if taken in writing within ten (10) calendar days. Classified personnel may appeal the decision to the county Board of Education in accordance with §4-205 of the Annotated Code of Maryland.

**J. Administrative Leave**: The temporary removal of an employee from an assignment, with or without pay, while an administrative investigation is being conducted which has resulted from charges or allegations against the employee.

During an investigation conducted under the auspices of the Human Resources Office, the superintendent may place a classified employee on administrative leave, with or without pay, pending action on the charges or allegations.

**K.** Disciplinary procedures are detailed in Administrative Procedures for Policy 700-27. All tenured and long term public school employees are subject to

Loudermill pre-termination hearing detailed in the Administrative Procedures accompanying this policy.

**L.** Nothing in this policy is to be construed to override, undermine or modify the negotiated Collective Bargaining Agreements, US Constitutional Due Process rights, Maryland Wage and Fair Labor Practices or any other statutory or regulatory code for public school employees.

**M.** Failure to follow the policy shall result in disciplinary proceedings which may result in termination of employment.

**Reference:** Annotated Code of Maryland 4-205

| **Initial Adoption** | 03/21/2000 | **Revised** 08/26/2026 | **Reviewed** 09/03/2026 | **Approved** | **Next Review** |
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