

BEDFORD PUBLIC SCHOOLS ADMINISTRATIVE REGULATION

CERTIFIED STAFF DISCIPLINE AND DISCHARGE Reference: Board Policy 5540

For those employees whose employment is regulated by MCL 38.71 to 38.191 hereinafter “Staff Member,” any such, reprimand, or reduction in professional level, compensation or advantage, including any violation of professional ethics asserted by the District shall be subject to the procedures as set forth herein:

- (1) Except as otherwise provided within MCL 38.101a of the Teachers’ Tenure Act, the discharge, demotion or discipline of any Staff Member may be made only for a reason that is not arbitrary or capricious.
- (2) Oral or written notice will be given by the administration to the Staff Member of any incident, complaint, or charge that may form the basis for the investigation and any potential disciplinary action.
- (3) If the complaint alleges child abuse or neglect, the matter shall be reported to Child Protective Services.
- (4) The Staff Member shall be provided with written notice of the time, date, and location of the meeting to provide the Staff Member with an opportunity to respond.
- (5) A Staff Member 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 Staff Member reasonably believes could result in disciplinary action.
- (6) The Superintendent (or designee) is authorized to place a Staff Member on a paid or unpaid 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.
- (7) If it is determined that the Staff Member 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 Staff Member's prior disciplinary and/or employment record.

- (d) The existence of any relevant aggravating or mitigating factors.
- (8) Disciplinary measures may include but are not limited to: oral warning, written warning, written reprimand, paid or unpaid suspension, and discharge. Nothing in this regulation shall require that the disciplinary measures identified herein be applied progressively or sequentially. 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 Superintendent (or designee) is delegated the authority under this regulation to determine the discipline a Staff Member shall receive in all cases except:

 - (a) The discharge of either a probationary or tenured Staff Member;
 - (b) The non-renewal of a probationary Staff Member;
 - (c) The demotion of a tenured Staff Member as demotion is defined in the Teachers' Tenure Act.