



Administrative Regulation 4219 **EMPLOYEE DISCIPLINE AND SEPARATION (NON-LICENSED EMPLOYEES)**

Responsible Office: Department of Labor Relations

PURPOSE

This administrative regulation shall establish discipline and separation procedures for non-licensed employees in the Washoe County School District ("District").

REGULATION

1. Discipline

- a. Employment with the District, except for those post-probationary Education Support Professional (ESP) employees covered by the current Agreement between the District and the Washoe Education Support Professionals / Nevada State Education Association (WESP/NSEA), the Washoe County School Police Officers Association (WCSPOA), Executive Assistants and Confidential employees, is at the will of the employee and the District. Accordingly, either the employee or the District can terminate the employment relationship at will, at any time, with or without cause or advance notice.
- b. For those post-probationary ESP employees who are covered by the Agreement between the District and the WESP/NSEA, WCSPOA, and Executive Assistants and Confidential employees, the District will adhere to the general principles of "progressive discipline" in matters which require disciplinary action. Such actions will range from verbal warnings, written warnings, reprimands, suspension without pay, demotion, or termination. In appropriate cases, the District may, in the exercise of its discretion, determine to impose a particular discipline or terminate employment without strictly adhering to progressive discipline.
- c. Employees may be disciplined for a variety of reasons. The general areas in which disciplinary actions may occur are identified below. This must not be construed as a comprehensive, all-inclusive list.
 - i. Inadequate or deficient work performance.
 - ii. Insubordination.
 - iii. Failure to follow the policies, regulations, procedures, rules, instructions, directions of the District and terms of the respective negotiated Agreements.
 - iv. Theft.

- v. Dishonesty.
- vi. Discourteous or rude treatment of the public, students or other District employees.
- vii. Verbally abusing, threatening or striking a member of the public, a student or a District employee.
- viii. Misuse or destruction of District property.
- ix. Conduct on or off the job which adversely affect job performance or which adversely reflects on the District and its mission of education.
- x. Physical or mental incapacity which results in the inability to satisfactorily perform the assigned work of the position.
- xi. Conviction of a crime.
- xii. Unauthorized or excessive absences or tardiness, or the abuse of leave privileges.
- xiii. Possession, use, sale, distribution or being under the influence of or being impaired by illegal drugs or controlled substances, possession, use, distribution of, or being under the influence of or being impaired by alcohol during working hours; use of or being under the influence of medically prescribed drugs which negatively affects ability to perform assigned duties; or failure to pass a required medical test for the presence of illegal drugs, controlled substances or alcohol.
- xiv. Immorality.
- xv. Gross Misconduct: includes any act or omission that is in wanton, willful, reckless or deliberate disregard of the interests of a school or school district or a pupil thereof.
- xvi. Neglect of Duty.
- xvii. An intentional violation of NRS 388.497, Aversive intervention prohibited, or 388.499, Physical restraint and mechanical restraint prohibited; exceptions; or
- xviii. An intentional failure to report a violation of NRS 388.135, Bullying and cyber-bullying prohibited, as required by NRS 388.1351, if the employee witnessed the violation.

2. Resignation (Including Retirement)

- a. General Resignation - Resignations by non-licensed personnel should be presented in writing to the Office of Human Resources, at least one (1) month prior to the date requested for separation.
- b. If a resignation is submitted which is to take effect prior to the completion of a work year, the Chief Human Resources Officer shall make the necessary arrangements for the payment of the salary due to the employee based on the actual time of employment as related to the total work year.

DESIRED OUTCOMES

1. Through this regulation, the District seeks to be transparent in its disciplinary procedures related to staff and to comply with the provisions of both the negotiated agreements between the District and the employee associations, and with state laws and regulations.

IMPLEMENTATION GUIDELINES & ASSOCIATED DOCUMENTS

1. This administrative regulation reflects the goals of the District's Strategic Plan and aligns with the governing documents of the District, to include:
 - a. Board Policy 4119, Separation of Service.
 - b. Administrative Regulation 4119.4, Grounds for Dismissal: Possession of a Weapon on School District Property
 - c. Administrative Regulation 4214, Alcohol and Controlled Substance Testing (Employees Licensed to Operate a Commercial Vehicle)
2. This administrative regulation aligns with the Collective Bargaining Agreements of the employee associations:
 - a. Washoe County School Police Officers' Association (WCSPOA).
 - b. Washoe Education Support Professionals (WESP)
3. This administrative regulation complies with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC) and specifically:
 - a. Chapter 288, Relations Between Governments and Public Employees

REVIEW AND REPORTING

1. This administrative regulation shall be reviewed as part of the bi-annual review and reporting process, following each regular session of the Nevada Legislature. The Board of Trustees shall receive notification of any required changes to the guiding policy as well as an audit of the accompanying governing documents.
2. Additional administrative regulations and/or other associated documents may be developed as necessary to implement and support this administrative regulation.

REVISION HISTORY

Date	Revision	Modification
10/27/1992	1.0	Adopted
7/14/1998	2.0	Revisions
11/15/2012	3.0	Revised: format changes; align to changes to NRS for licensed employees (4119)
7/18/2016	3.1	Revised: format changes; changes to NRS numbering