
Fresno USD DIVISION OF HUMAN RESOURCES

HR 4106

DISCIPLINE – Documentation of Performance and Professional Conduct

In accordance with Governing Board Policy, the Superintendent or designee shall ensure that the duties, responsibilities and the District's expectations of District personnel are clearly defined and made known to each personnel member. Each member shall be held accountable for duties assigned and shall undergo regular performance evaluations in accordance with law, Board policies, District administrative policies and negotiated agreements.

Employee performance and conduct are expected to contribute toward the achievement of the District's goals and objectives. The purpose of documentation of employee performance and professional conduct is to:

- Improve employee performance through effective communication while honoring the Collective Bargaining Agreements (CBA)
- Provide clarity to both the employee and the District on facts surrounding a situation in question
- Take necessary steps to deal with deficient employee performance and/or conduct

When an employee's performance and/or conduct is unsatisfactory, corrective action must be taken in accordance with District policy and CBA. Discipline should be viewed as a method of correcting a deficiency or problem.

Documentation of employee unsatisfactory performance and/or conduct which need improvement/correction should include the following:

- Identification of the performance deficiency and/or unsatisfactory or inappropriate conduct
 - With specific terms and examples or evidence for factual, objective foundation or cause
 - Any prior incidents of deficiency and/or unsatisfactory or inappropriate conduct
- Identification of the expectations of the applicable standard(s) of performance and/or conduct
 - Reference the related rule (policies, regulations, CBA provisions)
- Identification of adverse impact of the performance deficiency and/or unsatisfactory or inappropriate conduct
 - On workplace, including department, other employees, students, parents, District operations and programs
- Identification of suggestions or required improvements/corrections
 - Clear description of expected change, including improvement timelines
 - Consequences of failure to comply

The supervisor or manager must inform the employee of rights relating to:

- Personnel file placement of corrective documents & right to receive a copy
- Filing a response consistent with the CBA, applicable law, personnel rules/practices, contract provisions

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When documenting for performance deficiency and/or unsatisfactory or inappropriate conduct, the supervisor or manager must take the following actions:

- Refer to the appropriate CBA to verify the necessary progressive discipline procedures to follow (note that disciplinary processes for classified and certificated are very different)
- Document the time and specific conversation of all discussions and meetings with the employee
- Maintain a separate file with all documentation
- When in doubt about an action, call the Human Resources Administrator to discuss the appropriate solution
- Recognize employees have the right to inform their union about any interactions they deem to be disciplinary in nature
- When an employee requests union representation, schedule a time to meet with the employee and their union representative
- Meet with the employee in private, especially when discipline is involved

Before dismissal of an employee, the supervisor or manager must always contact the site **Division of Human Resources Administrator**. Refer to Administrator Assignments.

Human Resources, Administrators: 457-3625, 457-3506 or 457-3547

Probationary classified employees may be dismissed at any time prior to the expiration of the probationary period. Permanent classified employees shall be subject to personnel action for cause.

For step by step procedures for non-re-election of temporary/probationary certificated employees please refer to the following Ed Codes:

Dismissal of Probationary Employees **Reference: ED CODE 44948.3**

Dismissal of Temporary Employees: **Reference: ED CODE 44954**

Decision Not to Rehire: **Reference: ED CODE 44929.21**

Dismissal of Substitute Employees: **Reference: Human Resources, Administrator**

References:

- FUSD/FTA Collective Bargaining Agreement*
- FUSD/FASTA Collective Bargaining Agreement*
- FUSD/SEIU Collective Bargaining Agreement*
- FUSD/CSEA 125 Collective Bargaining Agreement*
- FUSD/CSEA 143 Collective Bargaining Agreement*
- FUSD/BTU Collective Bargaining Agreement*
- FUSD/IAMAW Collective Bargaining Agreement*

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BP 4100 Certificated Personnel

BP 4200 Classified Personnel

BP/AR 4118 Certificated Discipline

BP/AR 4218 Classified Discipline

Policy Fresno Unified School District
DIVISION OF HUMAN RESOURCES

Revised: January 17, 2017

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Fresno, California