



**Provo City School District  
Policy Series 5000: Personnel**

**Policy No. 5280**

**Disciplinary Action, Orderly Termination, Suspension, and Non-renewal**

The Provo City School District Board of Education (“Board”) recognizes the importance of having a clear process for addressing employee and employment related issues. The Board hereby delegates to the Provo School District Administration (“District”) the authority to take disciplinary action, applied fairly and with a progressive, graduated approach (if reasonable under the circumstances).

Note: This policy informs and governs employees of disciplinary authority and procedures without altering at-will employment relationships. Temporary employees and hourly at-will employees do not have the right to the procedures and protections outlined herein, as per policy [5020 P3](#). Such employees have no expectation of continued employment and may be terminated at any time, with or without cause.

As described in greater detail herein, the District may take corrective action (including suspension and termination) against an employee. Moreover, the District may choose not to renew a contract provisional employee’s position or contract at the end of the term of employment.

In doing so, District administrative personnel act consistently to protect the due process rights of contracted career employees as outlined in applicable laws, regulations, this policy, and accompanying procedures.

The following are general principles, standards, and procedures that will undergird corrective actions under this policy.

As a general principle, discipline and corrective action will be issued fairly and consistently according to employment status as set forth in this policy such that employees will:

1. Have appropriate opportunities to respond to allegations that form the basis of disciplinary or corrective action;
2. Have the right to representation at appropriate times in the process;
3. Receive reasonable notice of causes for discipline;
4. Be placed on administrative leave as determined appropriate by Human Resources to facilitate an investigation, maintain the integrity of an investigation, protect the complainant(s), and/or the accused; and
5. Have appropriate opportunities to appeal determinations that might deprive an employee of a protected property interest in employment.

No employee shall be disciplined for an unlawful or discriminatory purpose. The District

prohibits unlawful discrimination, harassment, and retaliation in all employment practices.

The District will take past corrective action into account, particularly where patterns of misconduct and ongoing performance deficiencies have been documented.

Adverse employment action that may deprive a contracted career employee of their interest in continued employment shall be made by the superintendent or other individual specifically designated by the superintendent.

Employees who engage in conduct that violates state criminal law shall be referred to law enforcement. Teachers and other licensed employees shall be referred to an appropriate licensing body if the conduct violates applicable professional standards.

Legal References

Synopsis

[53G-11-501](#)

Definitions

[53G-11-512](#)

Local School Board to Establish Dismissal Procedures

[53G-11-513](#)

Dismissal Procedures

[53G-11-514](#)

Non-renewal or Termination of a Career Employee’s Contract for Unsatisfactory Performance

[53G-11-515](#)

Hearings Before District Board or Hearing Officers – Rights of the Board and Employee – Subpoenas – Appeals

Approved by Board of Education: May 14, 2013

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