



Disciplinary Action, Orderly Termination, Suspension, and Non-Renewal
Policy Series: 5000 Personnel

Policy No. 5280
Procedure 1

Overview

The procedures outlined herein provide guidance to administrators and employees as to how allegations of misconduct or unsatisfactory performance will be addressed by District Leadership.

Corrective Action for Improper Conduct

1. All allegations of improper conduct shall be reported and investigated at the school/department level or at the District level. Employees shall have an opportunity to respond to all allegations of improper conduct before discipline is imposed. Findings and conclusions from the investigation shall be documented and communicated to the employee and used as the basis for corrective action.
2. Based on the nature and recurrence of improper conduct, corrective action can range from coaching and redirection to termination during the contract term. The District may choose to provide remedial training, coaching, and other supportive measures to assist employees subject to corrective action. However, employees who fail to meet expectations and standards shall be subject to corrective action.
3. Based on the egregiousness and/or pattern of improper conduct, the District will deliver an appropriate level of corrective action. A single instance of misconduct may be sufficiently egregious to warrant immediate termination for cause.
4. The District may proceed with one or more of the following disciplinary actions in any sequence. The District may elect to exclude any or all of the following actions and proceed directly with termination for cause. The decision to implement any of the following disciplinary actions shall in no way prejudice the right of the District to include additional disciplinary actions or proceed with termination for cause or non-renewal on the same facts which gave rise to the progressive disciplinary action.

- a. Verbal Warning.
- b. Written Warning.
- c. Non-renewal.
- d. Termination for cause.
- e. Other disciplinary actions. The District may take other disciplinary actions not specified in this policy.

Corrective Action for Unsatisfactory Performance

1. If an employee's performance remains unsatisfactory after the District has complied with Policy 5240, an employee may be disciplined, suspended, nonrenewed, or terminated on the grounds of unsatisfactory performance pursuant to this subsection.
2. Before the District seeks not to renew a contracted career employee at the end of a school year or terminate a contracted career employee's contract during the contract term for reasons of unsatisfactory performance, it shall take the following steps:
 - a. Provide and discuss documentation of multiple measures and lines of evidence identifying the employee's deficiencies in performance and allowing the employee an opportunity to respond, reflect on deficiencies, and improve performance;
 - b. Provide written notice the employee's contract is subject to nonrenewal or termination if the employee's performance does not improve and is determined to be unsatisfactory upon reevaluation;
 - c. Develop and implement a formal plan of assistance to allow the employee an opportunity to improve performance and correct deficiencies;
 - d. Reevaluate the employee's performance;
 - e. If the employee's performance remains unsatisfactory, refer to a Director of Human Resources for appropriate discipline up to and including nonrenewal or termination; and
 - f. Issue a notice of intent of nonrenewal or termination.
3. Corrective action based on unsatisfactory performance shall be implemented in accordance with the District's discipline processes and orderly termination procedures and consistent with any professional agreement then in effect. If an employee can improve performance with reflection, coaching, directives, and/or low-level remediation, a plan of assistance and further corrective action shall be unnecessary.
4. If an employee demonstrates both unsatisfactory performance and improper conduct, the District is not required to develop and implement a plan of assistance and may pursue corrective action on the basis of the improper conduct. Contracted career employees shall be given reasonable time to complete specific goals in plans of assistance. A plan of assistance may span

across two consecutive school years but shall not exceed 120 school days unless the employee is on approved leave. Plans of assistance shall end when a determination is made that the employee has either successfully remediated the deficiency in performance or when the notice of intent not to renew or terminate the employee is delivered.

5. If an employee is reevaluated and the performance has been successfully remediated, the District may elect not to renew or terminate the employee if the employee's performance is subsequently determined to be unsatisfactory for the same performance deficiencies within a three-year period from the initial documentation of unsatisfactory performance. Before doing so, the District shall provide written documentation of the employee's subsequent deficiencies in performance and give notice of intent not to renew or terminate the employee.
6. Determinations of nonrenewal, termination, or some other adverse employment action that significantly impacts a contracted career employee's interest in continued employment shall be made by the superintendent or designee.
7. In the absence of a notice of nonrenewal or termination, an employee shall be employed for the following contract term based on District's salary schedule applicable to the position.

Legal References

[Utah Code § 53G-11-501\(3\) \(2024\)](#)
[Utah Code § 53G-11-503 \(2018\)](#)
[Utah Code § 53G-11-501\(12\) \(2024\)](#)
[Utah Code § 53G-11-503 \(2018\)](#)
[Utah Code § 53G-11-501\(16\) \(2024\)](#)
[Utah Code § 53G-11-501\(8\) \(2024\)](#)
[Utah Code § 53G-11-501\(6\) \(2024\)](#)
[Utah Code § 53G-11-501\(17\) \(2024\)](#)
[Utah Code § 53G-11-514 \(2018\)](#)
[Utah Code § 53G-11-517 \(2018\)](#)
[Utah Code § 53G-11-513 \(2018\)](#)
[Utah Code § 53G-11-513 \(2018\)](#)
[Utah Code § 53G-11-513 \(2018\)](#)
[Utah Code § 53G-11-513 \(2018\)](#)
[Utah Code § 53G-11-513 \(2018\)](#)
[Utah Code § 53G-11-515\(1\) \(2021\)](#)
[Utah Code § 53G-11-515\(2\) \(2021\)](#)
[Utah Code § 53G-11-515\(4\) \(2021\)](#)
[Utah Code § 53G-11-513 \(2018\)](#)
[Utah Code § 53G-11-515\(5\) \(2021\)](#)
[Utah Code § 53G-11-513 \(2018\)](#)
[Utah Code § 53G-11-516 \(2018\)](#)
[Utah Admin. Rules R277-217-5 \(January 10, 2024\)](#)

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