

Related Entries: 5.37, Support Personnel Association of Lee County (SPALC) Contract, Safe Driver Plan

Managerial Guidelines for Discipline of Transportation Employees

The following are managerial guidelines for discipline of transportation employees.

- (1) Representatives of the School District of Lee County and the Support Personnel Association of Lee County (SPALC) worked collaboratively to develop these guidelines for the purpose of providing a common understanding of managerial expectations and recommended discipline for specific offenses.
- (2) The guidelines provide a common basis for the application of an equitable progressive discipline system for use with all Transportation employees. It is beyond the scope of these Managerial Guidelines to identify all potentially relevant State Statutes, rules, regulations, or School Board of Lee County policies the violation of which the District believes would provide just cause to discipline an employee.
- (3) The guidelines set forth in this document are not intended to be, nor are they, an exhaustive list of all forms of misconduct. The employee is cautioned that there may be other situations and/or circumstances where the District believes there is cause for discipline.
- (4) These guidelines are supported by the SPALC collective bargaining agreement. In accordance with the contract, employees are provided due process prior to any disciplinary action.
- (5) Five or more offenses of a less serious nature may result in a recommendation for termination.
- (6) The recommended penalties are guidelines. The actual penalty imposed is dependent upon the severity of the offense. The Superintendent is allowed the discretion to consider all circumstances in formulating any recommendations for discipline to the School Board.

Alleged Conduct		Recommended Discipline																	
1. Inappropriate Passenger Management Techniques. EXAMPLES: Slamming on brakes, etc.	Pending investigation and establishment of just cause	1st Offense Warning 2nd Offense Written Reprimand 3rd Offense 3-day Suspension Without Pay 4th Offense Termination																	
2. Improper utilization of bus keys. EXAMPLES: Leaving key in ignition when bus is unattended, etc.		1st Offense Written Reprimand 2nd Offense 3-day Suspension Without Pay 3rd Offense Termination																	
3. Violation of approved dress code.		1st Offense Warning 2nd Offense Written Reprimand 3rd Offense 3-day Suspension Without Pay 4th Offense Termination																	
4. Failure to complete required written reports on time. EXAMPLE: FTE reports, accident reports, student incident reports, student counts, etc.		1st Offense Warning 2nd Offense Written Reprimand 3rd Offense 3-day Suspension Without Pay 4th Offense Termination																	
5. Failure to submit accurate documentation for time reporting purposes, or submission of unauthorized hours.		1st Offense 3-day Suspension Without Pay* 2nd Offense Termination* <i>*May also result in a referral to law enforcement.</i>																	
6. Failure to attend a scheduled district or state required training without prior written approval from immediate supervisor.		1st Offense 3-day Suspension Without Pay* 2nd Offense Termination <i>*Or suspension until training is complete.</i>																	
7. Radio Communication a. Failure to Answer b. Improper Use c. Misuse of Emergency Channel		<table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"></td> <td style="width: 50%;"><u>Failure to Answer</u></td> </tr> <tr> <td>1st Offense</td> <td>Warning</td> </tr> <tr> <td>2nd Offense</td> <td>Written Reprimand</td> </tr> <tr> <td>3rd Offense</td> <td>3-day Suspension Without Pay</td> </tr> <tr> <td>4th Offense</td> <td>Termination</td> </tr> <tr> <td colspan="2"> </td> </tr> <tr> <td></td> <td><u>Improper Use</u></td> </tr> <tr> <td>1st Offense</td> <td>Written Reprimand</td> </tr> <tr> <td>2nd Offense</td> <td>3-day Suspension Without Pay</td> </tr> </table>		<u>Failure to Answer</u>	1st Offense	Warning	2nd Offense	Written Reprimand	3rd Offense	3-day Suspension Without Pay	4th Offense	Termination	 			<u>Improper Use</u>	1st Offense	Written Reprimand	2nd Offense
	<u>Failure to Answer</u>																		
1st Offense	Warning																		
2nd Offense	Written Reprimand																		
3rd Offense	3-day Suspension Without Pay																		
4th Offense	Termination																		
	<u>Improper Use</u>																		
1st Offense	Written Reprimand																		
2nd Offense	3-day Suspension Without Pay																		

	<p>3rd Offense Termination</p> <p style="text-align: center;"><u>Misuse of Emergency Channel</u></p> <p>1st Offense 3-day Suspension Without Pay*</p> <p>2nd Offense Termination*</p> <p><i>*Injury to a student may result in moving to a higher level of discipline.</i></p>
<p>8. Use of personal electronic devices, including a cell phone, in the presence of a student(s), or while operating a school bus.</p>	<p>1st Offense 3-day Suspension Without Pay*†</p> <p>2nd Offense Termination*†</p> <p><i>*Except for reporting an emergency, criminal activity, or suspicious activity to law enforcement or emergency communications initiated by dispatch.</i></p> <p><i>†Severity of the offense may result in moving to a higher or lower level of discipline.</i></p>
<p>9. Work Place Civility Violation</p> <p>a. Verbal Abuse</p> <p>EXAMPLES: Use of profanity, vulgar language or gestures, or intentionally berating: a student, supervisor, parent, District employee, or member of the public.</p> <p>b. Physical Abuse</p> <p>EXAMPLES: Striking, pushing or grabbing a student, unless the employee’s or student’s safety is directly threatened, and the employee is acting in self-defense or in defense of a student</p>	<p style="text-align: center;"><u>Verbal Abuse</u></p> <p>1st Offense Written Reprimand*</p> <p>2nd Offense 3-day Suspension Without Pay*</p> <p>3rd Offense Termination*</p> <p style="text-align: center;"><u>Physical Abuse</u></p> <p>1st Offense Termination</p> <p><i>*Severity of the offense may result in moving to a higher level of discipline.</i></p>

41
42

Alleged Conduct		Recommended Discipline
10. Unauthorized bus stop.	Pending investigation and establishment of just cause	<p>1st Offense 3-day Suspension Without Pay*</p> <p>2nd Offense Termination*</p> <p><i>*Injury to a student may result in moving to a higher level of discipline.</i></p>
11. Failure to attend a scheduled department meeting when 48 hours advance notice is given.		<p>1st Offense Warning</p> <p>2nd Offense Written Reprimand</p> <p>3rd Offense 3-day Suspension Without Pay</p> <p>4th Offense Termination</p>
<p>12. Tampering, modifying, or destroying District property.</p> <p>EXAMPLES: Radio, brakes, stop lights, warning lights, GPS, security cameras, or other District property.</p>		<p>1st Offense Written Reprimand*</p> <p>2nd Offense 3-day Suspension Without Pay*</p> <p>3rd Offense Termination*</p> <p><i>*Severity of the offense may result in moving to a higher level of discipline.</i></p>
13. Failure to follow a directive.		<p>1st Offense Warning</p> <p>2nd Offense Written Reprimand</p> <p>3rd Offense 3-day Suspension Without Pay</p> <p>4th Offense Termination</p>
14. Failure to perform pre-trip and/or post-trip safety inspections.		<p>1st Offense Written Reprimand</p> <p>2nd Offense 3-day Suspension Without Pay</p> <p>3rd Offense Termination</p>
<p>15. Absenteeism</p> <p>a. Failure to report to work; no call, no show.</p> <p>b. Failure to notify immediate supervisor of absence (1) one hour before route time.</p>		<p style="text-align: center;"><u>Non-consecutive Days</u></p> <p>1st Offense Written Reprimand</p> <p>2nd Offense 3-day Suspension Without Pay</p> <p>3rd Offense Termination</p> <p style="text-align: center;"><u>Consecutive Days</u></p> <p>An unauthorized absence of three consecutive workdays without notice shall be evidence of abandonment of position and subject to termination (see SPALC Contract).</p>

43

44
45

Alleged Behavior		Recommended Penalties
<p>16. Unauthorized/unapproved use of a School District of Lee County bus including parking at an unassigned compound.</p>		<p>1st Offense Written Reprimand* 2nd Offense 3-day Suspension Without Pay* 3rd Offense Termination*</p> <p><i>*Severity of the offense may result in moving to a higher level of discipline.</i></p>
<p>17. Failure to report an emergency, criminal activity, or suspicious activity to an immediate supervisor, especially when it involves a possible injury to a student, parent, or District employee.</p> <p>If a transportation employee observes a possible injury or if a student or parent reports a possible injury, the employee must:</p> <ol style="list-style-type: none"> a. notify the dispatcher immediately by radio b. file a written report immediately upon return to the compound. 	<p>Pending investigation and establishment of just cause</p>	<p>1st Offense 3-day Suspension Without Pay* 2nd Offense Termination*</p> <p><i>*Severity of the offense may result in moving to a higher level of discipline.</i></p>
<p>18. Failure to report or allowing unauthorized person(s) to board or ride the bus.</p>		<p>1st Offense 3-day Suspension Without Pay 2nd Offense Termination</p> <p><i>*Contingent on the severity of the offense.</i></p>
<p>19. Failure to check the school bus after each A.M. and P.M. route, which results in a student being left on the bus.</p>		<p style="text-align: center;"><u>Unsupervised and Unattended</u></p> <p>1st Offense Termination</p> <p style="text-align: center;"><u>Unsupervised</u></p> <p>1st Offense 3-day Suspension Without Pay</p> <p>2nd Offense Termination</p> <p><i>*Severity of the offense may result in moving to a higher level of discipline.</i></p>

<p>20. Operating a vehicle under the influence of or in possession of alcohol or drugs, using intoxicants during work hours.</p>		<p>1st Offense Termination*</p> <p><i>*Other drug, alcohol, or tobacco violations will be addressed in accordance with Board Policy 5.37 and the SPALC Contract.</i></p>
<p>21. Violation of a provision of the Safe Driver Plan.</p>		<p>Refer to Safe Driver Plan</p>

46
47
48
49
50
51
52
53

STATUTORY AUTHORITY: 1001.42, 1001.43, 1012.23, 1012.40, 1012.45, F.S.; 6A-3.0171, FAC

Adopted: 3/20/12
Revised: 8/9/16
Revised: 3/23/2021