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Recognizing and Responding to Educator Misconduct Course
Practical Disciplinary Tools



HRSimpleSolution.

Dear Education Leader,

Cultivating desired employee behavior is an essential core competency for education leaders. It is incumbent upon school administrators, heads of school, division heads, and deans of students to recognize and respond to educator misconduct. This day-long workshop is intended to equip participants with:

- Understanding discrimination, harassment, EEOC Laws, and educator sexual misconduct in school environments;
- The Know How in conducting an investigation into misconduct;
- An easy to understand framework in messaging discipline;
- Conversational strategies to change behavior;
- Practice in crafting legally sufficient letters of discipline;
- Tips in messaging and delivering discipline;
- Guidance in terminating at-will employees; and,
- Confidence to be firm, fair and cultivate desired behavior.

Throughout the workshop, participants are actively engaged in practicing the new strategies.

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Q: What are the strategies in correcting employee behavior?

There are two strategies in addressing unsatisfactory employee behavior: (1) conversation and (2) written memorandums. In both strategies, key components are critical and follow below.

Q: What is the FRISK® framework?

The FRISK® framework was developed by Steven Andelson, J.D. at Atkinson, Andelson, Loya, Rund & Romo. The framework has been used for over 20 years in documenting unsatisfactory performance. The FRISK® Fundamentals for Evaluators in Addressing Below-Standard Employee Performance may be purchased through Amazon.

Q: FRISK® is an acronym for the universal components to correct employee behavior. What are the components?

F = FACTS: What are the facts?

R = RULE: What rule or policy applies to the incident?

I = IMPACT: What is the impact of the employee's behavior?

S = SUGGESTIONS: What suggestions do you have for improvement?

K = KNOWLEDGE: Does the employee have knowledge of the document prior to placing in a file?

Q: What is an investigation's lifecycle?





Sample Meeting Recap

To: Susan Shining, XYZ School Math Teacher

From: Harry Headmaster, XYZ Academy Headmaster

Date: October 25, 2019

RE: Meeting Recap

I appreciate our time in meeting yesterday to discuss our school's expectations in responding to voicemail. The purpose of this communication is to serve as a meeting recap.

It came to my attention that your voicemail box has been full for a month. This became problematic during parent conferences as a few parents expressed they made attempts to call you to reschedule their appointment time; however, they were not able to leave a voice message. In meeting with you, you explained feeling overwhelmed this school year by teaching honor's algebra and have not been able to consistently answer voicemail.

Together, we reviewed our employee handbook which states, "All employees are expected to answer their voicemail twice daily." The policy is intended to provide guidance by suggesting staff check voicemail in the morning and after lunch.

In brainstorming strategies that support you checking your voicemail daily, you shared that by forming a new habit of answering email and voicemail at the onset of your 4th hour planning period will remedy the concern. We agreed this is a good solution.

I appreciate your thoughtful solution and am confident you will establish your new habit.

Thanks for your attention into this matter.



Sample Warning Letter

To: Bill Smith, XYZ School Theater Teacher
From: Harry Headmaster, XYZ Academy Headmaster
Date: December 1, 2019
RE: Memorandum of Warning

The purpose of this communication is to express my concern regarding an incident and to express my expectations of you.

On November 25, 2019, I received a report from a parent indicating that you “cursed” at students during the 7th grade theater production rehearsal. Specifically, the parent shared that as she was dropping pizzas in the theater room, she overheard you yell, “shut the hell up” and “flipping stop talking” to students. In meeting with you on November 26, 2019, you recalled stating, “shut the hell up”, but did not recall stating, “flipping stop talking”. Another teacher, who assists with the production, verified that you shouted to students, “flipping stop talking”. In meeting on November 27, 2019, you tearfully apologized to me and stated this would not happen again.

Per our Principles of Conduct, “A key element of XYZ School’s approach to student character development is for our faculty and staff to serve as role models for mature, caring behavior. As a manifestation of the role, all employees are expected to conduct themselves with grace, dignity, and respect at all times. During school hours, staff are expected to conduct themselves as representatives of XYZ’s representatives in matters of behavior and use of language.”

As a result of the actions discussed above, (1) students were insulted, (2) a formal apology was issued to the families of the students, and (3) your credibility as a professional educator was diminished.

Effective immediately, you are directed to:

- (1) Cease using profanity and inappropriate language in your role as a theater teacher at XYZ Academy;
- (2) Implement behavior management strategies that do not involve shouting or using profanity. I suggested that you observe our choir director and physical education teachers as they have implemented Mountain of Trust to positively manage student behavior.

Bill, please know it is very important for you to take steps in managing student behavior as failure to adhere with these directives may result in disciplinary action.

Thank you for your attention into this matter.

I have received a copy of the letter and understand I may attach a written response if I am in disagreement.

Employee Name: _____

Date: _____

Cc: Personnel File



Sample Reprimand Letter

To: Paul Jones, XYZ School Social Studies Teacher
From: Harry Headmaster, XYZ Academy Headmaster
Date: March 1, 2020
RE: **Written Reprimand**

The purpose of this communication is to serve as reprimand for your behavior and to express my expectations of you.

On February 25, 2019, an XYZ teacher reported that students were calling one another "hotties" during advisory period. When the teacher explained to the students that "hotties" is not appropriate language, the students replied that, "Mr. Jones referred to a group of girls as "hotties" on the 8th grade trip to Washington DC." Further, the students provided a picture of you and a female student on the trip in which you had your arm around her; they reported she was your favorite "hotty". In meeting with you on February 26, 2019, you explained that you were "just kidding" by referring to female students as "hotties". Too, you shared that you frequently call your office mate, Ms. Jenkins as a "hotty". Further, you acknowledged having taken a picture with a student and had your arm around her. You felt this was appropriate as the student frequently babysits for your children and you are close friends with her family. At the meeting, I informed you that your behavior was unacceptable. An investigation into the matter was conducted and the results were provided to you on March 1, 2019

Per our Unlawful Harassment Policy, "XYZ School is committed to workplace free of sexual harassment. The school prohibits sexual harassment. Unlawful harassment is prohibited and includes verbal conduct such as epithets, derogatory jokes, or comments, or unwanted sexual advances, invitations or comments." Additionally, the Relationships with Students and Parents Policy states: "Faculty and staff members should not engage in any interaction or communication that may reflect even the appearance of an impropriety or make students feel uncomfortable."

As a result of the actions discussed above, (1) an investigation into the matter was conducted, (2) a formal apology was issued to the families of the students, and (3) there was an adverse impact on your credibility as a professional at XYZ School Academy.

Effective immediately, you are directed to:

- (1) Establish appropriate boundaries with students;
- (2) Cease using sexually charged language with students and staff; and,
- (3) Review XYZ Policies , which are attached to this memorandum.

Paul, I am very concerned by your conduct and recommend you attend the Appropriate Boundaries Training. It is important for you to know that any future incident may include discipline, up to and including termination from your at-will employment at XYZ School.

Thank you for your attention into this matter.

I have received a copy of the letter and understand I may attach a written response if I am in disagreement.

Employee Name: _____

Date: _____

Cc: Personnel File