

## Glendale Elementary School District #40

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December 20, 2012

Hand Delivered

Kimberly Fisher  
District Office  
7301 N. 58<sup>th</sup> Ave  
Glendale, AZ 85301

Re: Decision Regarding Discipline – Letter of Reprimand

Dear Ms. Fisher,

**Decision Regarding Discipline**

This letter constitutes as written notice that after careful consideration of the facts relating to conduct and ethics issues, the decision has been made to impose a Letter of Reprimand.

**Explanation of Decision**

1. **Review of facts giving rise to decision**

Several members of the Information Technology (IT) Department submitted verbal and written complaints about your inappropriate behavior and how that behavior has a negative impact on the department and the staff. The behavior included work inefficiency, inappropriate contact with another employee, inappropriate and hostile communication, and altogether exhibiting poor attitude towards others.

During an investigation conducted by Dominic Verstegen the members of the IT Department and you were interviewed and the following was concluded:

- As it relates to the inappropriate and hostile communication, it was concluded that Ms. Fisher has exhibited this behavior, especially in written form. There were several emails submitted that confirms this behavior.

2. **Review of Relevant Governing Board Policies**

- A. **Governing Board Policy GBEA "Staff Ethics"**  
Policy GBEA provides in pertinent:

All employees of the District are expected to maintain high standards in their school relationships. These standards must be idealistic and at the same time practical, so that they can apply reasonably to all staff members. The employees acknowledge that the schools belong to the public they serve for the purpose of providing educational opportunities to all. However, every employee assumes responsibility for providing leadership in the school and community. This responsibility requires the employee to maintain standards of exemplary conduct. It must be recognized that the employee's actions will be viewed and appraised by the community, associates, and students. To these ends, the Board adopts the following statements of standards.

The school employee:

- Maintains just, courteous, and proper relationships with students, parents, staff members, and others.
- Directs any criticism of other staff members or of any department of the school system towards improving the District. Such constructive criticism is to be made directly to the school administrator who has the responsibility for improving the situation.
- Fulfills job responsibilities with honesty and integrity.

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- Avoids using position for personal gain through political, social, religious, economic, or other influence.

In the performance of duties, employees shall keep in confidence such information as they may secure unless disclosure serves District purposes or is required by law.

**B. Governing Board Policy GBEB "Staff Conduct"**

Policy GBEB provides in pertinent part:

All employees of the District are expected to conduct themselves in a manner consistent with effective and orderly education and to protect students and District property. No employee shall, by action or inaction, interfere with or disrupt any District activity or encourage any such disruption. No employee, other than one who has obtained authorization from the appropriate school administrator, shall carry or possess a weapon on school grounds. All employees shall at all times attempt to maintain order, abide by the policies, rules, and regulations of the District, and carry out all applicable orders issued by the Superintendent.

No employee, while on or using school property, otherwise acting as an agent, or working in an official capacity for the District shall engage in conduct that violates the District's expectations for staff conduct, examples of which include but are not necessarily limited to the following:

- Physical or verbal abuse of, or threat of harm to anyone.
- Unprofessional conduct.
- Exhibiting incompetency in their work.
- Exhibiting inefficiency in their work.
- Exhibiting improper attitudes.
- Neglecting their duties.
- Acts of Insubordination.
- Acts of dishonesty.
- Use of profane or abusive language, symbols, or conduct.
- A violation of District policies and regulations.
- Any other conduct that may obstruct, disrupt, or interfere with teaching, research, service, administrative or disciplinary functions of the District, or any other activity sponsored or approved

**C. Governing Board Policy GDQD "Discipline, Suspension, and Dismissal of Support Staff Members"**

Policy GDQD provides in pertinent part:

A support staff member may be disciplined for any conduct that, in the judgment of the District, is inappropriate. Minor disciplinary action includes, without limitation thereto, verbal or written reprimands, suspension with pay, or suspension without pay for a period of five (5) days or less. Minor disciplinary action shall be imposed by the support staff member's supervisor. A support staff member who wishes to object to a minor disciplinary action shall submit a written complaint to the supervisor's superior within five (5) work days of receiving notice of the disciplinary action. The supervisor's superior will review the complaint and may confer with the support staff member, the supervisor, and such other persons as the supervisor's superior deems necessary. The decision of the supervisor's superior will be final.

**3. Conclusion and Directions for Future Conduct**

After carefully considering the allegations and the information you and other employees provided, it has been concluded that your actions are a violation of the policies stated above.

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You are hereby directed as follows:

- A. Conduct yourself in an appropriate and professional manner which will enhance your position.
- B. Address any concerns with your immediate supervisor and/or the school administrator who has the responsibility for improving the situation.
- C. Build and maintain positive working relationships with others including, but not limited to, employees, administrators, parents, students, and community members.

Your failure to abide by the directives set forth above in addition to adhering to all policies and conduct guidelines set forth by Glendale Elementary School District may result in further disciplinary action up to and including a recommendation for dismissal from your employment with the District.

A copy of this letter will be placed in your personnel file. This letter will become effective immediately, unless you submit a written complaint to the supervisor's superior within five (5) working days of receiving this notice of the disciplinary action. If you submit the complaint the disciplinary action will be suspended pending the outcome of the review of the supervisor's superior. A copy of the Governing Board Policy GDQD is attached to this letter and contains information regarding the Appeal procedure.

Sincerely,

  
 Kevin Hegarty  
 Deputy Superintendent, Business Services

Acknowledgment of receipt:

  
 Recipient's Signature

12/20/12  
 Date

Enclosures: Policy GBEA; Policy GBEB; Policy GDQD  
Cc: Personnel File

*I acknowledge receipt and have requested an appointment with Joe to file appeal of this.*