



## **4163.1: REMEDIAL ACTION-CERTIFICATED STAFF**

**The Superintendent or designee may take remedial action with regard to a certificated employee's performance or conduct which is deemed reasonably necessary to assist the certificated employee and further school purposes. Remedial actions may include, but are not limited to, non-disciplinary actions such as counseling, verbal discussions, written summaries of verbal discussions, written clarifications or expectations, and additional training.**

**Remedial actions may also include disciplinary actions authorized by Nebraska law such as oral or written reprimands and suspension without pay (not to exceed thirty working days).**

**Remedial actions may or may not be applied progressively depending upon the nature of the employee's performance or conduct. Prior to any written reprimand, the certificated employee shall be advised of the alleged reasons for the proposed action and provided the opportunity to present the certificated employee's version of the facts. The certificated employee may proceed under the applicable grievance procedure which provides for review for such action.**

**Prior to suspension without pay, the certificated employee shall be advised in writing of the alleged reasons for the proposed action and provided the opportunity to present the certificated employee's version of the facts. Within seven calendar days of receipt of such notice the certificated employee may make a written request to the secretary of the school board or the Superintendent or Superintendent's designee for formal due process hearing under Nebraska law. If such a request is not delivered within such time, the action of the Superintendent or the Superintendent's designee shall become final.**

**Nothing in this rule shall prevent an employee's suspension with pay.**

### **Date of Adoption**

**August 3, 1992**

### **Date of Revision**

**January 22, 2001**

**December 3, 2007**

**October 20, 2014**

**Reaffirmed**

**December 2, 2019**

**Related Policies and Rules**

**[4163: Remedial Action](#)**

**Legal Reference**

**Neb. Rev. Stat. §79-826, Neb. Rev. Stat. §79-832**