

**Memorandum of Agreement  
between  
Ann Arbor Public Schools  
and the  
Ann Arbor Education Association (AAEA)**

**TEACHER DISCIPLINE**

The Board shall dock, discharge, demote or suspend for a reason that is not arbitrary or capricious. Just cause shall be the standard for discipline less than a suspension. In all instances, discipline, discharge and demotion shall occur in accordance with the statutory requirements under the Teacher Tenure Act and the Revised School Code.

1. Except as otherwise provided within MCL 38.101a of the Teachers' Tenure Act, the discharge, demotion or discipline of any Staff Member may be made only for a reason that is not arbitrary or capricious.
2. Verbal or written notice will be given by the administration to the Staff Member of any incident, complaint, or charge that may form the basis for the investigation and any potential disciplinary action.
3. If the complaint alleges child abuse or neglect, the matter shall be reported to Child Protective Services.
4. The Staff Member shall be provided with written notice of the time, date, and location of the meeting to provide the Staff Member with an opportunity to respond.
5. A Staff Member represented by an exclusive bargaining agent under the Public Employment Relations Act shall be entitled to union representation at any investigative meeting that the Staff Member reasonably believes could result in disciplinary action.
6. The Superintendent (or designee) is authorized to place a Staff Member on paid administrative leave pending the completion of a disciplinary investigation of the alleged or suspected offense, infraction or misconduct. Administrative leave under this provision is not regarded as a disciplinary measure or penalty.
7. If it is determined that the Staff Member has engaged in an offense, infraction, misconduct, or other behavior warranting discipline, the administration's decision as to the level of discipline shall be guided by principles including the following:
  - a. The adequacy and credibility of the evidence derived from investigation.
  - b. The seriousness of the offense, infraction or misconduct.
  - c. The Staff Member's prior disciplinary and/or employment record.

- d. The existence of any relevant aggravating or mitigating factors.
- 
- 8. Disciplinary measures will include progressive discipline measures: verbal warning, written warning, written reprimand, paid or unpaid suspension, and discharge. The District reserves the right, in its sole discretion, to apply disciplinary sanctions it deems appropriate to the specific set of circumstances or facts.
  - 9. For both probationary and tenured teachers, disciplinary sanctions are not subject to the arbitration procedures outlined in the Agreement unless it involves an unpaid suspension.
  - 10. A teacher shall not be entitled to use the arbitration procedures outlined in this Agreement to challenge any discipline subject to the arbitration procedures that is being challenged, or has been challenged pursuant to the procedures afforded under the Teachers' Tenure Act.
  - 11. The discharge of a probationary teacher shall not be subject to the grievance procedures outlined in this Agreement unless they are beyond their second year of probation.
  - 12. The Superintendent's (or designee's) decision to impose any disciplinary action that is not subject to board review, as described below, is final outside of the grievance/arbitration process. The following disciplinary actions may only be imposed by the Board in adherence with the requirements of the Teacher Tenure Act:
    - a. The discharge of either a probationary or tenured Staff Member;
    - b. The non-renewal of a probationary Staff Member;
    - c. The demotion of a tenured Staff Member as demotion is defined in the Teachers' Tenure Act.

## **Investigation Procedures**

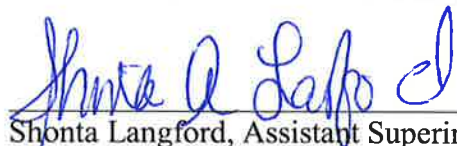
- 1. **Complainant/Allegation is received and/or administrator observes conduct that violates work expectations:**
  - a. Decide if the nature of the claim (ie.child safety) will require the staff member to be placed on administrative paid leave and immediately contact Human Resources and Child Protective Services.
  - b. Notify the complainant that an investigation will be conducted.
  - c. May need to meet with the complainant for additional information.
- 2. **Notify the staff member in writing of receipt of the complaint**

**3. Hold Due Process Meeting**

**4. Post-Due Process Meeting Investigation Steps**

- a. Interview anyone additional if needed based on information obtained during due process meetings.
- b. Written summary response provided to both the complainant and the respondent.
- c. Issue discipline and/or memo of expectations if warranted.

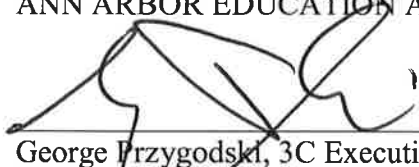
ANN ARBOR PUBLIC SCHOOLS

  
Shonta Langford, Assistant Superintendent

Date

6/13/24

ANN ARBOR EDUCATION ASSOCIATION

  
George Przygodski, 3C Executive Director

Date

6-13-2024