

Book	Policy Manual
Section	Issue 3 of 2023 September READY FOR OSBA
Title	Suspension and Termination of Professional Staff Members
Code	GCPD
Status	

**~~\*\*This is the OSBA sample policy.\*\*~~**

### **Suspension and Termination of Professional Staff Members**

#### **Suspension**

The Board may suspend a professional staff member pending final action to terminate his/her contract if, in its judgment, the character of the charges warrants such action.

#### **Termination**

The contract of a professional staff member may be terminated for good and just cause. Before terminating any contract, the Board furnishes the professional staff member a written notice signed by the Treasurer of its intention to consider termination of his/her contract and specification of the grounds for such consideration. The Board informs the professional staff member of his/her right to request a hearing by the Board or by an independent referee. At such a hearing, both parties may be represented by counsel and present and cross-examine witnesses. A **stenographiccomplete** record of the proceedings is made. After the hearing, the Board makes its determination by majority vote. Any order of termination of a contract states the grounds for termination.

Teachers may only be suspended or terminated under the terms of the collective bargaining agreement and/or State or Federal law.

When the behavior is sexual harassment, the Title IX sexual harassment grievance process will be followed, if applicable, prior to imposing any discipline that cannot be imposed without resolution of the Title IX process.

#### Legal References

Education Amendments of 1972, Title IX; 20 USC 1681 et seq.  
ORC 124.36  
ORC 3319.02  
ORC 3319.11  
ORC 3319.16  
ORC 3319.161  
ORC 3319.17

CONTRACT REF.: Teachers' Negotiated Agreement

#### Cross References

ACAA, Sexual Harassment  
GBQ, Criminal Records Check

**NOTE:** On May 6, 2020, the U.S. Department of Education issued the long-awaited final Title IX regulations, which go into effect August 14, 2020. The Title IX regulations specifically define sexual harassment and establish detailed procedures for how school districts must respond to allegations of sexual harassment. Districts must follow the Title IX complaint process before the imposition of any disciplinary sanctions or other actions that are not supportive measures when the behavior is sexual harassment. This requirement will likely impact a district's current procedures for handling employee discipline. Districts should ensure that all sexual harassment complaints are handled in accordance with the Title IX regulations that are outlined in ACAA, Sexual Harassment and ACAA-R, Sexual Harassment Grievance Process.

House Bill (HB) 33 (2023) revised requirements relating to teacher termination hearings in Revised Code (RC) 3319.16. The bill retains the requirement for the Board to provide a complete record of the proceedings of any termination hearing requested by a teacher but removes the requirement that the record be a "stenographic" record.

[ORC 3319.02](#)

[ORC 3319.11](#)

[ORC 3319.16](#)

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