

Discipline, Suspension and Dismissal of Support Staff

Support staff employees, unless otherwise designated by contract, shall be considered “at will” employees who serve at the pleasure of the Board and shall have only those employment rights expressly established by district policy. Support staff members shall be employed for such time as the district is in need of or desirous of the services of such employees.

The Board delegates to the superintendent the authority to dismiss classified personnel. The superintendent may delegate this authority to other appropriate personnel such as the director of personnel. All dismissals of classified employees shall be reported to the Board at its next regular meeting.

The superintendent also may suspend employees from their assignments as a disciplinary measure, with or without pay.

If an employee is dismissed or resigns as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior, which is supported by a preponderance of the evidence, the superintendent must notify the Colorado Department of Education (CDE) as soon as possible but no later than 10 business days after such dismissal or resignation.

If an employee is dismissed or resigns as a result of an allegation of a sexual act involving a student who is eighteen years of age or older, regardless of whether the student consented to the sexual act, that is supported by a preponderance of the evidence, the superintendent must notify CDE as soon as possible but no later than 10 business days after the dismissal or resignation.

The superintendent must provide any information requested by the department concerning the circumstances of the dismissal or resignation. The district also must notify the employee that information concerning the dismissal or resignation is being forwarded to CDE.

If the district learns that a current employee has been convicted of, pled nolo contendere to, or received a deferred sentence or deferred prosecution for any felony or misdemeanor crime involving unlawful sexual behavior or unlawful behavior involving children, the superintendent shall immediately report this information to CDE.

The district shall not obtain consumer credit reports on a current employee unless the district is evaluating the employee for promotion, reassignment or retention. In all cases where credit information or reports are obtained and/or relied upon for purposes of reassigning, terminating or denying the promotion of an employee, the district shall comply with the Fair Credit Reporting Act and applicable state law.

Adopted: August 2000
Revised: July 2008
Revised: September 2020
Revised: June 2022

LEGAL REFS.: 15 U.S.C. 1681 *et seq.* (Fair Credit Reporting Act)
C.R.S. 8-2-126 (limits employers' use of consumer credit information)

C.R.S. 19-3-301 *et seq.* (Child Protection Act of 1987)
C.R.S. 22-2-119 (duty to make inquiries prior to hiring)
C.R.S. 22-32-109.7 (specific duties regarding hiring inquiries and reporting)
C.R.S. 22-32-110 (1)(h) (power to discharge/terminate employment)
C.R.S. 22-32-126 (3) (principals recommend employment actions)

CONTRACT REF.: AFSCME Union Contract – Article II, Evaluation, Discipline, Dismissal and
Grievance Procedure; Section 2, Discipline and Dismissal

CROSS REF.:

Administrative policy:

GD, Support/Classified Staff