

## **SECTION G – PERSONNEL**

Section G contains policies, regulations and exhibits on all school employees except the superintendent (found in Section C – General Administration). The category is divided into three main divisions: GB contains policies applying to *all* school employees or to general personnel matters; GC refers to instructional and administrative staff; and GD refers to support or classified staff.

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GCQF Renewal)	Discipline, Suspension and Dismissal of Professional Staff (and Contract Non-
GCS	Professional Research and Publishing
GDQ	Support/Classified Staff
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GDBC	Support Staff Supplementary Pay/Overtime
GDBD	Support Staff Fringe Benefits
GDD	Support Staff Vacations and Holidays
GDE/GDF	Support Staff Recruiting/Hiring
GDE/GDF-R	Support Staff Recruiting/Hiring – Regulation

GDG	Part-Time and Substitute Support Staff Employment
GDO	Evaluation of Support Staff
GDO-R	Evaluation of Support Staff – Regulation
GDQB	Resignation of Support Staff
GDQD	Discipline, Suspension and Dismissal of Support Staff

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### **GBA: Open Hiring/Equal Employment Opportunity and Affirmative Action**

The Board subscribes to the fullest extent of the principles of the dignity of all people and of their labors. It also recognizes that it is both culturally and educationally sound to have persons of diverse backgrounds on the school district's staff.

Therefore, the district shall promote and provide for equal opportunity in recruitment, selection, promotion and dismissal of all personnel. Total commitment on the part of the district towards equal employment opportunity shall apply to all people without regard to race, color, sex, religion, national background, age, marital status, disability or handicap.

Every available opportunity shall be taken to ensure that the district does not discriminate in any area of employment including job advertising, pre-employment requirements, recruitment, compensation, fringe benefits, job classifications, promotion and termination.

Adopted: October 1998

LEGAL REFS: 20 U.S.C. §1681 (Title IX of the Education Amendments of 1972); 29 U.S.C. §201 et seq. (Fair Labor Standards Act); 29 U.S.C. §621 et seq. (Age Discrimination in Employment Act of 1967, as amended); 29 U.S.C. §701 et seq. (Section 504 of the Rehabilitation Act of 1973); 42 U.S.C. §1201 et seq. (Americans with Disabilities Act); 42 U.S.C. §2000d (Title VI of the Civil Rights Act of 1964); 42 U.S.C. §2000e (Title VII of the Civil Rights Act of 1964, as amended); C.R.S. 22-32-110 (1)(k); C.R.S. 22-61-101; C.R.S. 24-34-301 through 24-34-308; C.R.S. 24-34-402

CROSS REFS: AC, Nondiscrimination/Equal Opportunity; ACA, Nondiscrimination on the Basis of Sex; ACE, Nondiscrimination on the Basis of Handicap/Disability

**GBAA: Sexual Discrimination and Harassment (pg 1 of 2)**

Sexual harassment is recognized as a form of sex discrimination and thus a violation of the laws which prohibit sex discrimination.

A learning and working environment that is free from sexual harassment shall be maintained. It shall be a violation of policy for any member of the district staff to harass another staff member or students through conduct or communications of a sexual nature.

Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature may constitute sexual harassment when:

submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or educational development;

submission to or rejection of such conduct by an individual is used as the basis for employment or education decisions affecting such individuals;

such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive working or educational environment.

Sexual harassment as defined above may include but is not limited to:

sex-oriented verbal "kidding," abuse or harassment;

pressure for sexual activity;

repeated remarks to a person with sexual or demeaning implications;

unwelcome touching, such as patting, pinching or constant brushing against another's body;

suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, employment status or similar personal concerns.

Staff members may file a formal grievance of sexual harassment through use of the accompanying grievance procedure. If the alleged harasser is the immediate supervisor or principal with whom a grievance routinely would be filed, the employee may file the grievance with the president of the Board of Education.

All matters involving sexual harassment complaints shall remain confidential to the extent possible.

Filing of a grievance or otherwise reporting sexual harassment shall not reflect upon the individual's status or affect future employment or work assignments.

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### **GBAA: Sexual Discrimination and Harassment (pg 2 of 2)**

Notice of this policy shall be circulated to all district schools and departments and incorporated in employee handbooks.

Adopted: October 1998

LEGAL REFS: 42 U.S.C. §2000e (Title VII of the Civil Rights Act of 1964); U.S.C. §1681 et seq. (Title IX of the Education Amendments of 1972); C.R.S. 24-34-401 et seq.

CROSS REFS: JBB\*, Sexual Harassment

**GBAA-R: Sexual Harassment (Grievance Procedure) - Regulation (pg 1 of 2)**

Staff members who believe that they have been subject to sexual harassment will report the incident to the superintendent, who will be referred to as the grievance officer. If the alleged harasser is the person designated as the grievance officer, the President of the Board of Education will appoint an alternate grievance officer to investigate the matter.

Upon receiving a report, the grievance officer will confer with the staff member who has allegedly been harassed as soon as is reasonably possible, but in no event more than two (2) business days from receiving the report, in order to obtain a clear understanding of the basis of the complaint and to discuss what action the staff member is seeking.

At the initial meeting with the staff member, the grievance officer will explain the avenues for informal and formal action and provide a description of the grievance procedure. The grievance officer will also explain that whether or not the staff member files a formal grievance or otherwise requests action, the district is required by law to take steps to correct the harassment and to prevent recurring harassment or retaliation against anyone who makes a harassment report or participates in an investigation. The grievance officer will also explain to the staff member that any request for confidentiality will be honored so long as doing so does not preclude the school from responding effectively to the harassment and preventing future harassment.

Following the initial meeting with the staff member, the grievance officer will attempt to meet with the alleged harasser in order to obtain a response to the reported harassment. The grievance officer will conduct a thorough investigation, including additional interviews with the parties and interviews with witnesses, if available. The grievance officer will complete the investigation within fourteen (14) business days of the initial meeting with the staff member.

Within seven (7) business days of completing the investigation, the grievance officer will determine whether the matter should proceed formally or informally. On the basis of the grievance officer's investigation, and if the staff member requests that the matter be resolved in an informal manner and the grievance officer agrees that the matter is suitable for such resolution, the grievance office may attempt to resolve the matter informally through conciliation.

If the staff member requests a formal grievance process, the grievance officer will transfer the record to the superintendent or designee for formal resolution within seven (7) business days of completing the investigation and so notify the parties by certified mail.

After reviewing the record made by the grievance officer, the superintendent or designee may gather additional evidence necessary to decide the case. Within fourteen (14) business days of receiving the record, the superintendent or designee will announce any sanctions or other action deemed appropriate, including recommendations to the Board for disciplinary or other action.

Whether or not a formal grievance was filed, the district will take all reasonable steps necessary to end the harassment, to prevent harassment from recurring and to prevent



**GBAA-R: Sexual Harassment (Grievance Procedure) – Regulation (pg 2 of 2)**

retaliation against anyone that reports sexual harassment or participates in a harassment investigation.

All parties will be notified by the superintendent of the final outcome of the investigation and all steps taken by the district.

At any time, the staff member making a report of sexual harassment may request an end to the informal process and begin the formal grievance process.

**GBB: Staff Involvement in Decision Making**

The Board shall encourage employee participation in decision making for the school district in accordance with the following statements:

Staff advisory functions:

In the development of regulations and arrangements for the operation of the school system, the superintendent shall include at the planning stage, whenever feasible, those employees who will be affected by such provisions.

The superintendent shall evolve with certificated and classified employee channels for the ready intercommunication of ideas and feelings regarding the operation of the schools. The superintendent shall weigh with care the counsel given by employees, especially that given by groups designated to represent large segments of the staff, and shall inform the Board of all such counsel in presenting reports of administrative action and recommendations for Board action.

Staff advisory committees:

To the end that joint advice may be readily available for the purpose described above, the staff shall be encouraged to elect advisory committees to work with principals and the superintendents in the areas of concern to the staff. Furthermore, the superintendent and principals shall, at their own discretion, appoint additional committees for such functions as are not being performed by existing groups.

Each elected staff committee shall act in an advisory capacity to the administrative officer responsible for the area in which the committee was elected to operate. Each appointed committee shall act in an advisory capacity to the administrative officer by whom it was appointed.

Teacher's council:

The staff is encouraged to establish a teacher's council, which shall be advisory in nature, in each of its respective schools to work with the principals and the superintendent in areas of concern to the staff.

Adopted October 1998

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### **GBEA: Staff Ethics/Conflict of Interest**

No employee of the Board shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with duties and responsibilities in the school system.

Employees shall not engage in work of any type where information concerning customer, client or employer originates from any information available to them through school sources.

An employee shall not sell any books, instructional supplies, musical instruments, equipment or other school supplies to any student or to the parents/guardian of a student who attends the school served by the employee unless prior approval has been obtained from the Board.

Moreover, as there should be no conflict of interest in the supervision and evaluation of employees, at no time may any administrator be responsible for the supervision and/or evaluation of any employee who is directly related.

Adopted: October 1998

LEGAL REFS: Constitution of Colorado, Article X, Section 13; C.R.S. 18-8-308; C.R.S. 22-63-204; C.R.S. 24-34-402 (1)

CROSS REFS: GBEB, Staff Conduct

**GBEA-E: Staff Ethics/Conflict of Interest - Exhibit**

According to the Colorado Revised Statutes 24-18-105, the following ethical principles for school district employees "are intended as guides to conduct and do not constitute violations as such of the public trust of office or employment &..."

An employee "should not acquire or hold an interest in any business or undertaking which there is reason to believe may be directly and substantially affected to its economic benefit by official action to be taken by an agency over which the employee has substantive authority."

An employee "should not, within six months following the termination of employment, obtain employment in which the employee will take direct advantage, unavailable to others, of matters with which there was direct involvement during the term of employment. These matters include rules, other than rules of general application, which the employee actively helped to formulate, and applications, claims or contested cases in the consideration of which there was active participant."

An employee "should not perform an official act directly and substantially affecting a business or other undertaking to its economic detriment when the employee has as a substantial financial interest in a competing firm or undertaking."

**GBEB: Staff Conduct (and Responsibilities) (pg 1 of 4)**

All staff members have a responsibility to make themselves familiar with and abide by the laws of the state as these affect their work, the policies of the Board and the regulations designed to implement them.

Rules of conduct:

Each staff member shall observe rules of conduct established in laws which specify that a school employee shall not:

disclose or use confidential information acquired in the course of employment to further substantially personal financial interests;

accept a gift of substantial value or substantial economic benefit tantamount to a gift of substantial value which would tend to improperly influence a reasonable person in the position or which the staff member knows or should know is primarily for the purpose of a reward for action taken in which the staff member exercised discretionary authority;

engage in a substantial financial transaction for private business purposes with a person whom the staff member supervises;

perform any action in which the staff member has discretionary authority which directly and substantially confers an economic benefit on a business or other undertaking in which the staff member has a substantial financial interest or is engaged as a counsel, consultant, representative or agent.

The phrase "economic benefit tantamount to a gift of substantial value" includes a loan at a rate or interest substantially lower than the prevailing commercial rate and compensation received for private services rendered at a rate substantially exceeding the fair market value.

It is permissible for an employee to receive:

an occasional non-pecuniary gift which is insignificant in value;

a non-pecuniary award publicly presented by a nonprofit organization in recognition of public service;

payment or reimbursement for actual and necessary expenditures for travel and subsistence for attendance at a convention or other meeting at which he or she is scheduled to participate;

reimbursement for or acceptance of an opportunity to participate in a social function or meeting which is not extraordinary when viewed in light of the position;

items of perishable or nonpermanent value including but not limited to meals, lodging, travel expenses or tickets to sporting, recreational, educational or cultural events; payment for speeches, appearances or publications reported as honorariums.

**GBEB: Staff Conduct (and Responsibilities) (pg 2 of 4)**

All staff members shall be expected to carry out their assigned responsibilities with conscientious concern.

It shall not be considered a breach of conduct for a staff member to:

use school facilities and equipment to communicate or correspond with constituents, family members or business associates on an occasional basis;

accept or receive a benefit as an indirect consequence of transacting school district business.

Essential to the success of ongoing school operations and the instructional program are the following specific responsibilities which shall be required of all personnel:

faithfulness and promptness in attendance at work;

support and enforcement of policies of the Board and regulations of the school administration in regard to students;

diligence in submitting required reports promptly at the times specified;

care and protection of school property;

concern and attention toward their own and the school system's legal responsibility for the safety and welfare of students including the need to insure that students are supervised at all times.

A staff member may request an advisory opinion from the secretary of state concerning issues relating to conduct that is proscribed by state law.

Child abuse:

All district employees who have reasonable cause to know or suspect that any child is subjected to abuse or to conditions that might result in abuse or neglect must immediately upon receiving such information report such fact in accordance with policy JLF.

The superintendent is authorized to conduct an internal investigation or to take any other necessary steps if information is received from a county department of social services or a law enforcement agency that a suspected child abuse perpetrator is a school district employee. Such information shall remain confidential except that the superintendent shall notify the Colorado Department of Education of the child abuse investigation.

**GBEB: Staff Conduct (and Responsibilities) (pg 3 of 4)**

Possession of deadly weapons:

The provisions of the policy regarding public possession of deadly weapons on school property or in school buildings also shall apply to employees of the district. However, the restrictions shall not apply to employees who are required to carry or use deadly weapons in order to perform their necessary duties and functions.

Felony/misdemeanor convictions:

If, subsequent to beginning employment with the district, the district learns or has good cause to believe that any staff member has been convicted of any felony or misdemeanor (other than a misdemeanor traffic offense or infraction), the district shall make inquiries to the department of education for purposes of screening the employee.

In addition, the district shall require the employee to submit a complete set of fingerprints taken by a qualified law enforcement agency. Fingerprints shall be submitted within twenty (20) days of receipt of written notification. The fingerprints shall be forwarded to the Colorado Bureau of Investigation (CBI) for the purpose of conducting a state and national fingerprint-based criminal history record check utilizing the records of the Colorado Bureau of Investigation and the Federal Bureau of Investigation. Disciplinary action, which could include dismissal from employment, may be taken against personnel if the results of fingerprint processing provide relevant information.

Employees shall not be charged fees for processing fingerprints under these circumstances.

Unlawful behavior involving children:

The Board may make an inquiry with the Department of Education concerning whether any current employee of the school district has been convicted of, pled no contendere to, or received a deferred prosecution for a felony or misdemeanor crime involving unlawful sexual behavior or unlawful behavior involving children. Disciplinary action, including termination, may be taken if the inquiry discloses information relevant to the employee's fitness for employment.

Personnel addressing health care treatment for behavior issues:

School personnel are prohibited under state law from recommending or requiring the use of psychotropic drugs for students. They are also prohibited from testing or requiring testing for a student's behavior without giving notice to the parent/guardian describing the recommended testing and how any test results will be used and obtaining prior written permission from the

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### **GBEB: Staff Conduct (and Responsibilities) (pg 4 of 4)**

student or from the student's parent/guardian. School personnel are encouraged to discuss concerns about a student's behavior with the parent/guardian and such discussions may include a suggestion that the parent/guardian speak with an appropriate health care professional regarding any behavior concerns school personnel may have.

Adopted: October 1998

Revised: July 1999, October 2000, July 2002, June 2003

LEGAL REFS: C.R.S. 18-12-105.5; C.R.S. 18-12-214(3)(b) (school security officers may carry concealed handgun pursuant to valid permit); C.R.S. 19-3-308(5.7); C.R.S. 22-32-1-9(1)(ee) (duty to adopt policy prohibiting personnel from recommending certain drugs for students or ordering behavior tests without parent permission); C.R.S. 22-32-109.1(8) (policy requiring inquiries upon good cause to department of education for purpose of screening employees to required part of safe schools plan); C.R.S. 22-32-109.7; C.R.S. 22-32-109.8(6); C.R.S. 22-32-109.8(10); C.R.S. 22-32-109.9; C.R.S. 22-32-110(1)(k); C.R.S. 22-65-105; C.R.S. 24-18-104; C.R.S. 24-18-109

CROSS REF: JLC, Student Health Services and Records; JLDAC, Screening/Testing of Students; JLF, Reporting Child Abuse/Child Protection; KFA, Public Conduct on School Property



**GBEBA: Staff Dress Code**

Teachers and other staff members project an image to the community and to students about the professionalism of the district. During the workday and at all work-related activities, employees shall adhere to a professional standard of dress and shall be neat and clean in appearance. The administration has final authority to decide what appropriate, safe and professional attire is.

Because school employees represent the District and set an example to students, it is important to have a shared understanding of the image employees are expected to present. In general, the Primero School District's community holds conservative values and expects adults to be responsible role models for children and young people.

The District standard for teachers' and classroom para-professionals' dress is business casual on a day-to-day basis with a neat and clean appearance expected. This means that while employees do not always have to be formally dressed, employees' dress and appearance should be appropriate for their work setting and assignment rather than recreation or relaxation. Dress for meetings with parents or other professionals should present a professional appearance.

Administrators are expected to present a professional business-like appearance whenever working with the public, unless the event is one where a casual appearance is generally acceptable by all attendees or necessitated by the nature of the event (such as a school camping trip).

Examples of professional dress include: shirts with collars, neckties, dress slacks and pants, dress shoes, dresses, skirts, sport coats or blazers, blouses, etc. Jeans are allowable once per week on a specific day designated by the majority of the staff at the beginning of each school year.

Items that may not be worn by staff include: shorts (except for special events or trips that necessitate such clothing), jeans (except on "jean day,"), and any items that are prohibited in the district's Student Dress Code.

Appropriate athletic clothing may be worn when teaching or assisting with physical education classes, or when coaching athletic activities. Industrial arts teachers may wear clothing that best fits their position and the fact that their work involves dangerous equipment and their clothing may become dirty or damaged more quickly than other teachers' clothing.

Uniformed workers (e.g., food preparers, custodians, etc.) shall wear the required uniform instead of professional dress.

Adopted: October 2000; Revised: January 16, 2007

LEGAL REFS: C.R.S. 22-32-109(1)(cc) (districts required to have staff dress code); CROSS REF: GBEB, Staff Conduct (and Responsibilities); JICA, Student Dress Code

**GBEBC: Gifts to and Solicitations by Staff**

**Gifts:**

Gifts from students: Teachers and other employees of the Board shall not accept gifts from students except as such gives represent tokens. Even token gift-giving shall be discouraged. The Board considers as more welcome and more appropriate with writing of letters by students to staff members to express gratitude and appreciation.

Gifts from staff members to staff members: Individual employees shall refrain from giving gifts to staff members who exercise any administrative or supervisory jurisdiction over them, either directly or indirectly. Generally, the collection of money for group gifts shall be discouraged except in special circumstances such as bereavement, serious illness or mementos at retirement.

Gifts from companies: All employees of the Board are prohibited from accepting gifts of other than nominal value from companies or organizations doing business with the school district. Exceptions to this policy are the acceptance of minor items which are generally distributed by the company or organization through its public relations program.

**Solicitations:**

No organization may solicit funds of staff members within the schools nor may anyone distribute flyers or other materials related to fund drives through the schools without the approval of the superintendent. Nor shall staff members be made responsible or assume responsibility for the collection of money or distribution of any fund drive literature within the schools without such activity having the superintendent's approval.

As a matter of policy, the Board expects such activities to be kept to a minimum. The superintendent shall seek direction from the Board in instances where prior action has set no guidance as to a particular fund drive.

Adopted: October, 1998

LEGAL REFS: C.R.S. 24-18-104 (rules of conduct for public employees)

CROSS REFS: DJG, Vendor Relations  
GBEB, Staff Conduct

**GBEC: Drug-Free Workplace (Drug and Alcohol Use by Staff Members) (pg 1 of 2)**

The unlawful manufacture, distribution, dispensing, possession or use of alcohol or a controlled substance is prohibited in Primero RE-2 School District. The definition of a controlled substance shall be the same as that found in the policy regarding student alcohol use/drug abuse.

Observance of this policy is a condition of employment. A violation shall subject the employee to appropriate disciplinary action which may include termination and referral for prosecution. Alternatively, the employee may be allowed to participate in an approved drug or alcohol assistance or rehabilitation program in appropriate circumstances in accordance with Board policy.

An employee knowingly in the possession of or under the influence of alcohol or any controlled substance shall be suspended immediately by the principal or supervisor if such use or possession is:

on school grounds, whether or not school is in session;

at any school-sponsored or sanctioned activity or event off school property or en route thereto;

on the way to school.

An employee shall be suspended immediately after arrest for possession or for being under the influence of a controlled substance.

After investigation, the superintendent may reinstate the employee if it appears to be in the best interest of the individual and the district. The matter must be reported in full to the Board of Education.

If the investigation causes the superintendent to continue the suspension in excess of 10 school days, the employee may request a hearing by the superintendent or designee a hearing by the superintendent or designee to be conducted in a manner to insure the individual suspended receives a fair, impartial hearing.

The superintendent shall establish an awareness program to inform employees about:

the dangers of drug and alcohol abuse;

the Board's policy of maintaining a drug-free workplace;

**GBEC: Drug-Free Workplace (Drug and Alcohol Use by Staff Members) (pg 2 of 2)**

available drug and alcohol counseling, rehabilitation and employee assistance programs;

penalties that may be imposed upon employees for drug and alcohol abuse violations occurring in the workplace.

Information about the standards of conduct required by this policy and a statement of disciplinary sanctions shall be communicated to employees in an appropriate manner on an annual basis. All employees who specifically work under a contract or grant which is federally funded shall acknowledge receipt of this policy and related information.

Pursuant to law, any employee who is convicted or pleads *nolo contendere* under any criminal drug statute for a violation occurring in the workplace shall notify the superintendent no later than five (5) days after the conviction. The district has an obligation under federal law to notify the appropriate federal agency within ten (10) days after receiving notice of such conviction if there is a relationship between federal funds received by the district and the convicted employee's work site.

The Board shall conduct a biennial review of its drug and alcohol abuse prevention program to determine its effectiveness, to implement required changes and to insure that disciplinary sanctions are consistently enforced.

Adopted: October 1998

LEGAL REFS: 20 U.S.C. §7117 (Safe and Drug-Free Schools and Communities Act of 1994); 21 U.S.C. §812 (definition of controlled substance); 41 U.S.C. §§701 and 702

CROSS REFS: EEAEAA\*, Drug and Alcohol Testing for Bus Drivers; GCQF, Discipline, Suspension and Dismissal of Professional Staff; GDQD, Discipline, Suspension and Dismissal of Support Staff; JICH, Drug and Alcohol Use by Students

**GBEC-E: Employee Acknowledgment Form, Drug-Free Workplace Policy Statement**

PRIMERO RE-2 SCHOOL DISTRICT

I, THE UNDERSIGNED EMPLOYEE OF THE PRIMERO RE-2 SCHOOL DISTRICT, have received a copy of the Drug-Free Workplace policy and:

I agree to abide by the terms of the policy;

I agree to notify my supervisor if I am convicted of violating a criminal drug statute in the workplace no later than five (5) days after the date of such conviction.

\_\_\_\_\_  
Employee Name (printed or typed)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**GBEE\*: Staff Use of the Internet and Electronic Communications (pg 1 of 5)**

The Internet is a global computer network referred to as the World Wide Web, and electronic communications (e-mail, chat rooms, and other forms of electronic communication) have vast potential to support curriculum and learning. The Board of Education believes they should be used in schools as a learning resource to educate and to inform.

The Board of Education supports the use of the Internet and electronic communications by staff to improve teaching and learning through interpersonal communication, access to information, research, training and collaboration and dissemination of successful educational practices, methods and materials.

The Board believes the educational opportunities inherent in these tools far outweigh the possibility that users may procure material not consistent with the education goals of the district. However, the Internet and electronic communications are fluid environments in which users may access materials and information from many sources. Staff members shall take responsibility for their own use of district computers and computer systems to avoid contact with material or information that violates this policy.

Blocking or filtering obscene, pornographic and harmful information:

To protect students from material and information that is obscene, child pornography, and otherwise harmful to minors, as defined by the Board, software that blocks or filters such material and information has been installed on all district computers having Internet or electronic communications access. Blocking or filtering software may be disabled by a supervising teacher or school administrator, as necessary, for purposes of bona fide research or other educational projects being conducted by staff members over the age of eighteen (18).

No expectations of privacy:

District computers and computer systems are owned by the district and are intended for educational purposes and district business at all times. Staff members shall have no expectation of privacy when using the Internet or electronic communications. The district reserves the right to monitor, inspect, copy, review, and store (at any time and without prior notice) all usage of district computers and computer systems, including all Internet and electronic communications access and transmission/receipt of materials information. All material and information accessed/received through district computers and computers systems shall remain the property of the school district.

**GBEE\*: Staff Use of the Internet and Electronic Communications (pg 2 of 5)**

Unauthorized and unacceptable uses:

Staff members shall use district computers and computer systems in a responsible, efficient, ethical, and legal manner.

Because technology and ways of using technology are constantly evolving, every unacceptable use of district computers and computer systems cannot be specifically described in policy. Therefore, examples of unacceptable uses include, but are not limited to, the following (*Note: The Board has discretion to determine which uses are unacceptable. The following list provides examples the Board may wish to consider*):

No staff member shall access, create, transmit, retransmit or forward material or information:

that promotes violence or advocates destruction of property, including, but not limited to, access to information concerning the manufacturing or purchasing of destructive devices or weapons;

that is not related to district education objectives;

that contains pornographic, obscene or other sexually oriented materials, either as picture or writings that are intended to stimulate erotic feelings or appeal to prurient interests in nudity, sex or excretion;

that harasses, threatens, demeans, or promotes violence or hatred against another person or group of persons with regard to race, color, sex, religion, national origin, age, marital status, disability or handicap

for personal profit, financial gain, advertising, commercial transaction, or political purposes;

that plagiarizes the work of another without express consent;

that uses inappropriate or profane language likely to be offensive to others in the school community;

**GBEE\*: Staff Use of the Internet and Electronic Communications (pg 3 of 5)**

that is knowingly false or could be construed as intending to purposely damage another person's reputation;

in violation of any federal or state law, including, but not limited to, copyrighted material and material protected by trade secret;

that contains personal information about themselves or others, including information protected by confidentiality laws;

using another individual's Internet or electronic communications account without written permission from that individual;

that impersonates another or transmits through an anonymous remailer;

that accesses fee services without specific permission from the system administrator.

**Security:**

Security on district computer systems is a high priority. Staff members who identify a security problem while using the Internet or electronic communications must immediately notify a system administrator. Staff members should not demonstrate the problem to other users. Logging on to the Internet or electronic communications as a system administrator is prohibited.

Staff members shall not:

use another person's password or any other identifier;  
gain or attempt to gain unauthorized access to district computers or computers systems

read, alter, delete or copy, or attempt to do so, electronic communications of other system users.



**GBEE\*: Staff Use of the Internet and Electronic Communications (pg 4 of 5)**

Any staff member identified as a security risk, or as having a history of problems with other computers systems, may be denied access to the Internet and electronic communications.

**Confidentiality:**

Staff members shall not access, receive, transmit or retransmit material regarding students, parents/guardians, or district employees that is protected by confidentiality laws. If material is not legally protected but is of confidential or sensitive nature, great care shall be taken to ensure that only those with a “need to know” are allowed access to the material. Staff members shall handle all employee, student and district records in accordance with policies GBJ (Personnel Records and Files), JAR/JRC Student Records/Release of Information on Students) and EGAEA (Public Electronic Mail Records).

**Vandalism:**

Vandalism will result in cancellation of privileges and may result in school disciplinary action and/or legal action. Vandalism is defined as any malicious or intentional attempt to harm, destroy, modify, abuse or disrupt operation of any network within the school district or any network connection to the Internet, operation of any form of electronic communications, the data contained on any network or electronic communications, the data of another user, usage by another user, or district-owned software or hardware. This includes, but is not limited to, the uploading or creation of computer viruses and the use of encryption software.

**Unauthorized software:**

Staff members are prohibited from using or possessing any software that has been downloaded or is otherwise in the user’s possession without appropriate registration and payment of any fees owed to the software owner.

**Staff member use is a privilege:**

Use of the Internet and electronic communications demands personal responsibility and an understanding of the acceptable and unacceptable uses of such tools. Staff member’s use of the

Internet and electronic communications is a privilege, not a right. Failure to follow the use procedures contained in this policy will result in the loss of the privilege to use these tools and may result in school disciplinary action and/or legal action. The school district may deny, revoke or suspend access to district technology or close accounts at any time.

**GBEE\*: Staff Use of the Internet and Electronic Communications (5 of 5)**

Staff members shall be required to sign the district's Acceptable Use Agreement annually before Internet or electronic communications accounts shall be issued or access shall be allowed.

School district makes no warranties:

The school district makes no warranties of any kind, whether expressed or implied, related to the use of district computers and computer systems, including access to the internet and electronic communications services. Provided access to these services does not imply endorsement by the district of the content, nor does the district make any guarantee as to the accuracy or quality of information received. The school district shall not be responsible for any damages, losses, or costs a staff member suffers in using the Internet and electronic communications. This includes loss of data and services interruptions. Use of any information obtained via the Internet and electronic communications is at the staff members own risk.

Adopted: October 1998

LEGAL REFS: 20 U.S.C. §7117 (Safe and Drug-Free Schools and Communities Act of 1994); 21 U.S.C. §812 (definition of controlled substance); 41 U.S.C. §§701 and 702

CROSS REFS: EEAEAA\*, Drug and Alcohol Testing for Bus Drivers; GCQF, Discipline, Suspension and Dismissal of Professional Staff; GDQD, Discipline, Suspension and Dismissal of Support Staff; JICH, Drug and Alcohol Use by Students

**GBEE\*-E: Staff Use of the Internet and Electronic Communications**

Annual Acceptable Use Agreement

I have read, understand, and will abide by the district's policy on Staff Use of the Internet and Electronic Communications. Should I commit any violation or in any way misuse my access to the school district's computers or computer system, including use of the internet and electronic communications, I understand and agree that my access privileges may be revoked and disciplinary and/or legal action may be taken.

I hereby release the school district from all costs, claims, damages or losses resulting from my use of district computers and computer systems, including use of the Internet and electronic communications, including but not limited to any user fees or charges incurred through the purchase of goods or services.

Your signature on this Acceptable Use Agreement is binding and indicates you have read the school district's policy on Staff Use of the Internet and Electronic Communications and understand its significance.

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Staff Member's Name (printed)

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Staff Member's Signature

Date: \_\_\_\_\_

Recoded: September, 1999 (from EHD-E\*)

**GBG: Liability of School Personnel/Staff Protection (pg 1 of 3)**

**Protection from lawsuits:**

In order to provide teachers, principals and other school professionals the tools they need to maintain order, discipline and an appropriate environment, state and federal law provide certain liability protections. The federal liability protections preempt state law to the extent state law is inconsistent, but do not preempt state law that is consistent and provides additional protection from liability. Applicability of state and federal liability protections to specific circumstances shall be made on a case-by-case basis. Exceptions stated in state and federal law may reduce or preclude liability protection.

**Immunity for enforcement of discipline code:**

An act of a teacher or other employee shall not be considered child abuse if the act was performed in good faith and in compliance with Board policy and procedures.

A teacher or any other person acting in good faith and in compliance with state and federal law and regulation, the discipline code adopted by the Board, and other policies, regulations rules, and procedures of the district, shall be immune from civil liability unless the person is acting willfully or wantonly for:

1. taking action regarding supervision, grading, suspension, expulsion or discipline of a student;
2. making a report consistent with federal law to the appropriate law enforcement authorities or officials of a school or school district if the employee had reasonable grounds to suspect that the student was:
  - under the influence of or in possession of alcohol or a controlled substance not lawfully prescribed to the student;
  - in possession of a firearm; or
  - involved in the illegal solicitation, sale or distribution of alcohol, a controlled substance not lawfully prescribed to the student, or a firearm.

It is an affirmative defense in any criminal action that a person is acting in good faith and in compliance with the discipline code.

A teacher shall not be subject to any disciplinary proceeding including dismissal for actions that were in good faith and in compliance with the district's discipline code, nor shall a contract nonrenewal be based on such lawful actions.

**GBG: Liability of School Personnel/Staff Protection (pg 2 of 3)**

**Disciplinary information to school personnel:**

In accordance with state law, the principal or designee is required to communicate disciplinary information concerning any student enrolled in the school to any teacher who has direct contact with the student in the classroom and to any counselor who has direct contact with the student. The purpose of this requirement is to keep school personnel apprised of situations that could pose a risk to the safety and welfare of others.

For purposes of this policy, “disciplinary information” means confidential records maintained by or in possession of the principal or designee on an individual student which indicate the student has committed an overt and willful act which constitutes a violation of the district’s code of student conduct and/or there is reasonable cause to believe, through information provided to the principal from another credible source, that the student could pose a threat to the health and safety of other students and school personnel based on prior misbehavior.

“Disciplinary information” is intended to include only that information of a serious nature that is not otherwise available to teachers and counselors as part of the education records maintained on students or other reports of disciplinary actions. It is appropriate for instructional staff members to request disciplinary information from the principal or designee on students in their classrooms if there is concern that the student poses a threat to the safety of other students or school officials.

Any teacher or counselor to whom disciplinary information is reported shall maintain the confidentiality of the information shall not communicate it to any other person. The principal or designee is required to inform the student and the student’s parent/guardian when disciplinary information is communicated and to provide a copy of the disciplinary information. The student and/or the student’s parent/guardian may challenge the accuracy of disciplinary information through the administrative regulations that accompany this policy.

**False reports against employees:**

State law provides criminal penalties for certain persons, including students at least ten years of age, who intentionally make false accusations of criminal activity against school district employees.

Adopted: April, 2003  
Revised: June, 2001

LEGAL REFS: C.R.S. 22-12-101 et seq. (*Teacher and School Administrator Protection Act*)  
C.R.S. 22-31-109.1 (9) (*immunity provisions in safe schools law*)  
C.R.S. 22-32-126 (5) (*disciplinary information to staff*)  
C.R.S. 24-10-102 et seq (*governmental immunity*)  
20 U.S.C. 2361 (*Coverdell Teacher Protection Act contained in No Child Left Behind Act of 2001 limits the liability of school personnel*)

CROSS REFS: GCQF, Discipline, Suspension and Dismissal of Professional Staff;  
JK, Student Discipline and subcodes

**GBGA: Staff Health (And Physical and Mental Health Examination Requirements) (pg 1 of 3)**

Through its overall safety program and various policies pertaining to school personnel, the Board shall seek to ensure the safety of employees during working hours and assist them in the maintenance of good health. It shall encourage all its employees to maintain good health and practice good health habits.

Under the following circumstances, the Board may require physical examinations of its employees. The district shall pay for all such physical examinations. Results of such physical examinations shall be maintained in separate medical files and not in the employee's personnel file and may be released only in limited circumstances.

**Routine physical examinations:**

Subsequent to a conditional offer of employment and prior to commencement of work, the district may require an applicant to have a medical examination and to meet any other health requirements that may be imposed by the state. The district may condition an offer of employment on the results of such examination if all entering employees in the applicable job category are subject to such examination. A 30-day grace period may be allowed if approved by personnel services.

All bus drivers, including full-time, regular part-time or temporary part-time drivers shall be required to have a physical examination once every two years to obtain or renew an operator's permit.

**Special examinations:**

The Board recognizes that an individual's medical diagnosis is privileged information between the patient and medical professionals. However, whenever a staff member's medical condition is such that it interferes with the ability to perform required duties or there is an unacceptable risk to the health and safety of others, the district has a responsibility to take necessary steps to evaluate the employee's condition and make appropriate employment decision.

The Board may request physical examinations and/or mental health examinations of an employee at any time to determine if the employee has a physical and/or mental condition, disease or illness which may interfere with the ability to perform required duties or which may pose an unacceptable risk to the health, safety or welfare of the employee or others. The school district shall select the medical professional to conduct such examination.

**GBGA: Staff Health (And Physical and Mental Health Examination Requirements) (pg 2 of 3)**

When the employee cannot perform the essential functions of the job with reasonable accommodations or medical evidence establishes that the employee's condition poses a significant risk to the health, safety or welfare of the employee or others, the school district may take action to suspend and/or terminate the employee in accordance with applicable policies and regulation.

**Readily-transmitted communicable disease:**

An employee with an acute, common communicable disease shall not report to work during the period of time when contagious/infectious. The district reserves the right to require a physician's statement prior to the employee's return to work.

An employee afflicted with a serious, readily transmissible disease or condition shall be encouraged to report the existence of the condition or illness in case there are precautions that must be taken to protect the health of others.

**HIV infection:**

Any employee who becomes aware of personal infection with the human immunodeficiency virus (HIV), which although life-threatening poses little risk of transmission in a school setting, is encouraged to report to a designated school administrator the affliction with the disease. The administration shall follow the procedures accompanying this policy to evaluate the employment status of the staff member.

To encourage disclosure, the school district shall endeavor to treat these employees in a fair, nondiscriminatory and confidential manner consistent with the district's legal obligations. Federal and state law mandate, pursuant to provisions protecting handicapped individuals, that such employees shall not be discriminated against on the basis of their handicaps and that if it becomes necessary, some reasonable accommodations be made to enable qualified individuals to continue work.

## Primero RE-2 Board Policies Primero RE-2 School District • Weston, Colorado

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### **GBGA: Staff Health (And Physical and Mental Health Examination Requirements) (pg 3 of 3)**

#### **Confidentiality:**

In all instances, district personnel shall respect the individual's right to privacy and treat any medical diagnosis as confidential information. The superintendent shall initiate procedures to insure that all medical information will be held in strict confidence. Any school staff member who violates confidentiality shall be subject to appropriate disciplinary measures.

Adopted: October, 1998

LEGAL REFS: 29 U.S.S. §794 (1983) (*Section 504 of the Rehabilitation Act*); 42 U.S.S. §12101 *et seq.* (*Americans with Disabilities Act*); C.R.S. 8-2-118; C.R.S. 22-32-110 (1) (k); C.R.S. 24-32-401 *et seq.*; C.R.S. 25-4-101 *et seq.*; 1 CCR 301-26, Rules 4204-R-201

CROSS REFS: ACE, Nondiscrimination on the Basis of Handicap/Disability (Compliance with Section 504); EBBA, Prevention of Disease/Infection Transmission; GBA, Open Hiring/Equal Employment Opportunity and Affirmation Action; GBJ, Personnel Records and Files; GBGG, Staff Sick Leave; GCQF, Discipline, Suspension and Dismissal of Professional Staff; GDQD, Discipline, Suspension and Dismissal of Support Staff



**GBGA-R: Staff Health (Staff Members with HIV/AIDS) (pg 1 of 3)**

The following procedures will be followed when evaluating the employment status of an employee infected with human immunodeficiency virus (HIV) including those staff members diagnosed as having Acquired Immune Deficiency Syndrome (AIDS) and those suspected of being infected with HIV.

These procedures also will apply whenever a school official has reasonable cause to suspect that a staff member is seriously ill and the illness is affecting the ability to perform job responsibilities or posing an unacceptable risk to the health and safety of others. Reasonable cause may exist in but not be limited to situations where the employee's health is observed to be deteriorating to the point of interfering with the performance of duties, when the employee displays persistent physical symptoms of illness, or where there is similar reasonable evidence of such disease.

Reporting suspected or confirmed cases:

The superintendent will be the staff member responsible for coordinating the school district's effort to evaluate the employment status of an employee in accordance with these procedures. For purpose of these procedures, the superintendent shall be referred to as the "school officer."

It is improper for any employee who has knowledge or reasonable grounds to suspect that infection of a communicable disease to willfully expose or infect another with such a disease or to knowingly perform an act or engage in conduct which exposes or infects another person with such a disease.

Any staff member infected with HIV is encouraged to report this fact directly to the school officer.

If a supervisor has been informed or has reasonable cause to believe that an employee is afflicted with an illness which is interfering with job performance or posing an unacceptable health risk to others, the supervisor will notify the school officer immediately. The school officer will confer individually with the supervisor and the staff member to assess the situation.

Evaluation of employment status:

HIV infection is not transmitted casually; therefore, it is not itself a reason to remove a staff member from school. The school officer will determine whether the person who is infected with HIV has a secondary infection such as active tuberculosis that constitutes a recognized risk of transmission in the school setting. This is a medical question which the school officer will answer by consulting with the infected person's physician, a qualified public health official who is responsible for such determinations and the infected person.

**GBGA-R: Staff Health (Staff Members with HIV/AIDS) (pg 2 of 3)**

If there is no secondary infection that constitutes a medically-recognized risk of transmission in the school setting, the infected person's job assignment will not be altered unless a reassignment is requested as a reasonable accommodation.

If there is a secondary infection that constitutes a medically-recognized risk of transmission in the school setting, the school officer will consult with the physician, public health official and the infected person. If necessary, they will develop an individually tailored plan for the staff member. Additional persons may be consulted if this is essential for gaining additional information, but the infected staff member must approve of the notification of any additional persons who would know the staff member's identity. Utmost confidentiality will be observed throughout this process.

When an employee is determined to be unfit for continued duty because of being incapable of performing the essential functions of the positions or poses a direct threat to the health or safety of himself or others, the employee will be entitled to use any accumulated sick leave in accordance with Board policies.

When an employee has exhausted all sick leave options and is deemed unfit to resume duties, employment will be terminated through the employee's resignation, retirement or dismissal in accordance with applicable Board policies.

The school official will review the case periodically with the infected person and the medical advisors described above.

**Confidentiality:**

All information gained by the district through the application of the accompanying policy and these procedures including the identity of an employee infected with HIV will be treated as confidential. Information will be disclosed only as appropriate in connection with these procedures.

Persons who may know the identity of a staff member infected with HIV are those who with the infected person will determine whether the person has a secondary infection that constitutes a medically-recognized risk of transmission in the school setting. They are the school officer, the person physician of the infected person and a public health official who may be able to study the facts of the case sufficiently without needing to know the identity of the staff member to make a decision.

The decision makers listed above and the infected person will determine whether additional persons such as the school nurse or principal need to know that an infected person works at a

**GBGA-R: Staff Health (Staff Members with HIV/AIDS) (pg 3 of 3)**

specific school. The additional persons will not know the name of the infected person without this person's consent.

All persons will treat all information as highly confidential. No information will be divulged directly or indirectly to any other individuals or groups. All medical information and written documentation of discussions, telephone conversations, proceedings and meetings will be kept by the school officer in a locked file. Access to this file will be granted only to those persons who have written consent of the infected staff member.

To further protect confidentiality, names will not be used in documents except when this is essential. Any document containing the name or any other information that would reveal the identity of the infected person will not be shared with any person, not even for the purposes of word processing or reproduction.

Adopted: October 1998

Revised: June 2003

**GBGAA\*: Staff Training in Crisis Prevention and Management**

In order to support the district's efforts to prevent and manage crisis, the Board directs the superintendent to provide a comprehensive staff training program that, at a minimum, trains staff to:

recognize and effectively address behavior and other indicators from a criteria based checklist that signal possible violence;

know when to report student behavior and other indicators to parents, other persons within the school community and law enforcement;

function with awareness of applicable district policies and guidelines about student discipline and student civil rights;

involve the help of psychological and other experts when needed to address student behavior;

practice physical security methods for self and others;

teach and model nonviolent conflict resolution techniques;

share safety information with parents in order to spread the responsibility for safety and engage parents as partners in crisis prevention;

foster moral reasoning and self-control in students' behavior;

teach and model tolerance of others;

help design and implement crisis prevention and management plans;

effectively manage various types of crisis;

involve psychological specialists as appropriate to manage debriefing and grieving of staff and students after traumatic loss.

Adopted: October 2000

LEGAL REFS: C.R.S. 22-32-110 (1)(k) (*professional inservice training*)

CROSS REFS: JIH, Student Interrogations, Searches and Arrests; JIHB, Parking Lot Searches; JIHC, Use of Metal Detectors; JLIA, Security and Supervision of Students; KDE, Crisis Prevention and Management; KLG, Relations with Law Enforcement Authorities

**GBGAB\*: First Aid Training**

At least one person in each building, and every staff member who teaches or supervises students in classes or activities where, as determined by the district, students are exposed to dangerous equipment or chemicals or other increased risks of injury, shall hold a current standard first aid card, including CPR training. A list of such staff members shall be maintained in each school office.

Adopted: May 2002

LEGAL REFS: 6 CCR 1010-6-9-102 (first aid certification requirements)

CROSS REFS: JLCE, First Aid and Emergency Medical Care

**GBGB: Staff Personal Security and Safety**

The following procedures shall be followed in instances of assault, disorderly conduct, harassment, knowingly false allegation of child abuse, or alleged criminal offense by a student directed towards a teacher or school employee.

These same procedures shall be followed in instances of damage by a student to the personal property of a teacher or school employee occurring on school district premises.

The teacher or employee shall file a written complaint with the building principal, the superintendent's office and the Board of Education;

The principal, after receipt both of the complaint and adequate proof of the charges, shall suspend the student for three days in accordance with established procedures;

The superintendent shall initiate procedures for the further suspension or expulsion of the student when injury or property damage has occurred;

The superintendent or designee shall report the incident to the district attorney or the appropriate local law enforcement agency or officer who shall then investigate the incident to determine the appropriateness of filing criminal charges or initiating delinquency proceedings;

A copy of this policy shall be distributed to each student and posted in each school building.

Communication of disciplinary information:

The principal or designee shall communicate discipline information concerning any student enrolled in the district to all teachers and counselors who have direct contact with that student. Any teacher or counselor who is assigned a student with known serious behavior problems will be informed of the student's behavior record. Any school employee who is provided this information shall maintain its confidentiality and shall not communicate it to any other person.

Adopted: October 1998

LEGAL REFS: C.R.S. 19-3-304 (3.5), (4); C.R.S. 22-32-109 (1)(x); C.R.S. 22-32-110 (4)(b)(II); C.R.S. 22-32-126; C.R.S. 22-33-106 (1)(d)

CROSS REFS: ECAC, Vandalism; GBG, Liability of School Personnel/Staff Protection; JK, Student Discipline; JKD/JKE, Suspension/Expulsion of Students

**GBGD: Workers' Compensation**

An employee who is temporarily disabled and unable to work as the result of an injury arising out of and in the course of employment shall be placed on worker's compensation leave for the period of time the employee applies and is eligible for worker's compensation benefit payments.

The primary source of compensation for an employee on worker's compensation leave shall be the indemnity payment from the worker's compensation section of the division of worker's compensation of the Colorado Department of Labor and Employment or insurance carrier as determined by state law. To the extent that the indemnity payment is less than an employee's weekly wage or equivalent, the employee is entitled to use accrued school district sick leave and vacation time to supplement the worker's compensation payment.

Under no circumstances shall an employee be entitled to receive more than an amount equal to the weekly wage or equivalent when combining the indemnity payment from worker's compensation and school district benefits. The employee shall provide any requested documentation to the school district to evidence amounts paid by worker's compensation before benefit payments are allowed by the school district.

Employees shall continue to have school district insurance coverage while under a temporary total disability for a period of time not to exceed one (1) contract year. At such time, the employee shall be given the option of directly assuming payment of the district's costs for such benefits or discontinuing the coverage until returning to work and again being eligible for benefits.

The administration is directed to establish necessary procedures to implement this policy.

Adopted: October 1998

LEGAL REFS: C.R.S. 8-42-101 *et seq.*; C.R.S. 8-42-105

CROSS REFS: GBGG, Staff Sick Leave; GCD, Professional Staff Vacations and Holidays; GDD, Support Staff Vacations and Holidays

**GBGE: Staff Maternity/Paternity/Parental Leave (pg 1 of 2)**

**Maternity Leave:**

Medically necessary sick leave for maternity purposes shall be available to any female employee who becomes pregnant. The leave will be allowed during such period of the pregnancy and a reasonable time immediately following termination of the pregnancy as is medically necessary to safeguard the health of the mother and/or child.

**Determination of Necessity:**

The determination and designation of the period of time during which leave is necessary may be initiated by either the employee or the school district. Final determination of such period including the beginning, duration and end of the period shall be made by the Board of Education based on information provided by the employee, the employee's physician, the administration and if deemed necessary by a physician designated by the Board of Education.

**Reinstatement:**

An employee who has taken leave in accordance with this policy shall be assured reinstatement at the beginning of the first semester following the end of the period of time during which leave is necessary. However, any leave granted shall in no way affect the powers or duties of the Board including but not limited to the non-renewal of a contract of a probationary teacher.

**Notice:**

An employee who becomes pregnant shall be encouraged to notify the superintendent or his designee regarding the pregnancy well in advance of the expected leave so that the district may make appropriate staffing decisions. When an employee is no longer pregnant, she shall notify the superintendent or designee of this fact.

**Benefits:**

An employee on maternity leave for medical necessity as determined by the employee's or the Board's physician shall receive pay, insurance and other benefits to the same extent and on the same basis as sick leave used for other purposes. Any additional leave granted by the Board for maternity purposes beyond that which is medically necessary shall be without pay or other sick leave benefits unless the provisions of the federally-mandated family leave policy apply.



**GBGE: Staff Maternity/Paternity/Parental Leave (pg 2 of 3)**

Parental leave:

Child care leave of absence without salary and fringe benefits may be granted to staff members for the purpose of child rearing, child care or adoption. Child care leave may be granted for a period of time not to exceed a total of one school year for each employee. The leave need not be taken all at once, but must be taken in increments which coincide with the planning needs of the district.

In determining whether to grant the leave request, the district will consider any special needs of the child, the staffing needs of the district and any other relevant factors. The district will grant a child care leave of absence without regard to the sex of the teacher.

The request for leave will be made to the personnel office of the district. If the child care leave request is refused by the personnel office, the staff member may appeal to the Board of Education.

If the leave period is for an entire school year, notice of intent to return from leave must be given to the personnel office before April 1 preceding the school year the employee wishes to return to work. If the leave is for a period less than an entire school year, notice of intent to return to work shall be given at least three months prior to the date the employee wishes to return to work. Upon return from child care leave, the employee shall be reinstated on the salary schedule at the column and step he or she was on when granted leave.

As long as proper notice has been given of the employee's intent to return to work, the district shall reinstate the employee and place him or her on the salary schedule at the appropriate level. A teacher being reinstated shall be placed in a teaching position as nearly identical as possible to the position left at the commencement of the leave. In no event shall a teacher be placed in a position for which he or she is not qualified or certified.

The employee on child care leave may be permitted to substitute in the school district at the district-approved substitute rate of pay.

The provisions of this section shall apply only after an eligible employee has used the entitlement of the federally-mandated family leave. Any days taken for family leave will be deducted from the total leave period allowed under this policy.

## **Primero RE-2 Board Policies Primero RE-2 School District • Weston, Colorado**

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### **GBGE: Staff Maternity/Paternity/Parental Leave (pg 3 of 3)**

Nothing in this policy shall be construed to limit the powers or duties of the Board to make employment decisions for the district including but not limited to non-renewing a contract of a probationary teacher.

Adopted: October 1998

LEGAL REFS: 29 U.S.C. §2601 et seq. (Family Medical Leave Act); 42 U.S.C. §2000e-2 (Title VII of the Civil Rights Act of 1964); C.R.S. 19-5-211 (adoption statute)

**GBGF: Federally-Mandated Family Leave (pg 1 of 2)**

The Board shall provide a plan for leaves and absences designed to help members of the staff maintain their physical health, take care of family and other personal emergencies, improve professionally, and discharge important and necessary obligations.

Such leaves and absences shall be granted in accordance with the law and Board policies pertaining to specific types of leaves.

Federally-mandated family leave:

The provisions of this section shall apply to all family and medical leaves of absence except to the extent that paid leaves are covered under other Board policies and/or negotiated agreements for any part of the 12 weeks of leave to which the employee is entitled. If an employee is entitled to paid leave under another policy and/or negotiated agreement, the employee shall take the paid leave, first.

To be eligible for leave under this policy, an employee shall have been employed for at least 12 months and shall have worked at least 1,250 hours during the 12-month period preceding the commencement of the leave. A full-time classroom teacher shall be deemed to be eligible for family leave. An eligible employee shall be entitled to a combined total of 12 weeks leave per year under particular circumstances that are critical to the life of a family.

Leave may be taken upon the birth and for the first-year care of the employee's child, upon the placement of a child with the employee for adoption or foster care; when the employee is needed to care for a child, spouse or parent who has a serious health condition; or when the employee is unable to perform the functions of the position because of a serious health condition.

Spouses who are both employed by the district shall be entitled to a total of 12 weeks of leave (rather than 12 weeks each) for the birth or adoption of a child or for family illness.

Entitlement for child care leave shall end after the child reaches age one or 12 months after adoption or foster placement. Leave to care for a child shall include leave for a step-parent or person *in loco parentis*.

If medically necessary for a serious health condition of the employee or the employee's spouse, child or parent, leave may be taken on an intermittent or reduced leave schedule subject to certain conditions which pertain to instructional employees. The district may require the employee to transfer temporarily to an alternative position which better accommodates recurring periods of absence or a part-time schedule provided that the position has equivalent pay and benefits.

**GBGF: Federally-Mandated Family Leave (pg 2 of 2)**

The district shall maintain coverage under any group health insurance plan for any employee who is granted an approved leave of absence under this policy for the duration of the leave (up to 12 weeks). Such coverage shall be maintained at the same level and under the same conditions as coverage would have been provided if the employee were not on leave. The district reserves the right to seek reimbursement for this benefit in the event that an employee elects not to return to work, as allowed by law.

Reinstatement shall be determined in accordance with any applicable Board policies and/or bargaining agreements. If the employee on leave is a salaried employee and is among the highest paid 10 percent of district employees and keeping the job open for the employee would result in substantial economic injury to the district, the employee may be denied reinstatement provided the district notifies the employee of its intent to deny reinstatement at the time economic hardship occurs and the employee elects not to return to work after receiving the notice.

The superintendent is directed to develop procedures to require appropriate medical certifications, notification and reporting which are consistent with law. The procedures shall describe how the district will post notices concerning the federal law and other steps the district shall take to inform employees of its requirements.

Adopted: October 1998  
Revised: January 16, 2007

LEGAL REFS: 29 U.S.C. §2601 et seq. (Family and Medical Leave Act); 29 C.F.R. Part 825 (regulations)

CROSS REFS: GBGG, Staff Sick Leave; GBGK, Staff Legal Leave; GBGE, Staff Maternity/Paternity/Parental Leave

**GBGF-E:**

**Certification of Physician or Practitioner (Family and Medical Leave Act of 1993): Exhibit**

1. Employee's name: \_\_\_\_\_

2. Patient's name: \_\_\_\_\_

3. Diagnosis: \_\_\_\_\_

4. Date condition commenced: \_\_\_\_\_

5. Probable duration of condition: \_\_\_\_\_

6. Regimen of treatment to be prescribed. Indicate number of visits, general nature and duration of treatment including referral to other providers of health services. Include schedule of visits or treatment if it is medically necessary for the employee to be off work on an intermittent basis or to work less than the employee's normal schedule of hours per day or days per week.

a. By physician or practitioner: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. By another provider of health services if referred by physician or practitioner: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Check Yes or No in the boxes below as appropriate.

7. • Yes • No Is in-patient hospitalization of the employee required?

8. • Yes • No Is employee able to perform work of any kind? If "no," skip item 8.

9. • Yes • No Is employee able to perform the functions of employee's position? Answer after reviewing statement from employer of essential functions of employee's position or, if none provided, after discussing with employee.

For certification relating to care for the employee's seriously ill family member, complete items 10 through 14 below as they apply to the family member and proceed to item 17.

10. • Yes • No      Is in-patient hospitalization of the family member (patient) required?

11. • Yes • No      Does or will the patient require assistance for basic medical needs, hygiene, nutritional needs, safety or transportation?

12. • Yes • No      After review of the employee's signed statement (item 17 below), is the employee's presence necessary or would it be beneficial for the care of the patient? This may include psychological comfort.

13. Estimate the period of time care is needed or the employee's presence would be beneficial: \_\_\_\_\_

14. Signature of physician or practitioner: \_\_\_\_\_

15. Date: \_\_\_\_\_

16. Type of practice (field of specialization, if any): \_\_\_\_\_

Item 17 is to be completed by the employee needing family leave.

17. When family leave is needed to care for a seriously ill family member, the employee must state the care he will provide and an estimate of the time period during which this care will be provided, including a schedule if leave is to be taken intermittently or on a reduced leave schedule.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Employee signature: \_\_\_\_\_ Date: \_\_\_\_\_

**GBGF-R: Federally-Mandated Family Leave (pg 1 of 3)**

Notification and reporting:

When the need for leave for the birth or adoption of a child or for planned medical treatment is foreseeable, the employee must provide at least 30 days prior notice unless circumstances dictate otherwise. With respect to foreseeable treatments of an employee's family members, the employee must make a reasonable effort to schedule treatment so as not to disrupt district operations.

In cases of illness, the employee is required to report periodically on their leave status and intention to return to work.

Intermittent or reduced leave:

When instructional employees seek intermittent leave in connection with a family or personal illness and when such leave would constitute at least 20 percent of the total number of working days in a period during which the leave would extend, the district may require the employee to take leave in a block (not intermittently) for the entire period or to transfer to an available alternative position with the school system, that is equivalent in pay, for which the employee is qualified and which better accommodates the intermittent situation.

Basic conditions:

The district will require medical certification to support a claim for leave for an employee's own serious health condition or to care for a seriously ill child, spouse or parent. The basic certification will be sufficient if it contains the date on which the condition commenced, the duration of the condition and any appropriate medical information.

For an employee's own medical leave, the certification also must include a statement that the employee is unable to perform the functions of the position. For leave to care for a seriously ill child, spouse or parent, the certification must include an estimate of the amount of time the employee is needed to provide care.

In its discretion, the district may require a second medical opinion and periodic re-certification at its own expense. If the first and second opinions differ, the district at its own expense may require the binding opinion of a third health care provider approved jointly by the district and the employee.

Certification for intermittent leave must indicate the dates on which treatment is expected to be given and the duration of the treatment. For leave to care for a seriously ill child, spouse or

**GBGF-R: Federally-Mandated Family Leave (pg 2 of 3)**

parent, the certification must include a statement that the employee's intermittent leave is necessary to care for the family member and the expected duration and schedule of treatment.

For the employee's own intermittent leave, the certification must contain a statement indicating the medical necessity of the intermittent treatment and its expected duration.

A "Request for Family and Medical Leave of Absence Form" must be originated in duplicate by the employee. This form should be completed in detail, signed by the employee, submitted to the principal for proper approval, and forwarded to the superintendent. If possible, the form should be submitted 30 days in advance of the effective date of the leave. All medical information provided to the district through this process shall be treated as confidential.

Reinstatement:

Because the end of the semester is a critical time for both teachers and students, the following conditions will apply to requests from teachers seeking to return from leave within the last three weeks of the semester.

If the employee begins any category of family and medical leave five or more weeks prior to the end of the semester and the leave is more than three weeks, the district may require the employee seeking to return within the last three weeks to wait until the next semester.

If the employee begins any category of family and medical leave except personal sick leave less than five weeks before the end of the semester and the period of leave is greater than two weeks, the district may require the employee seeking to return within the last two weeks to wait until the next semester.

If the employee begins any category of family and medical leave except personal sick leave three or fewer weeks before the end of the semester and the period of leave is greater than five working days, the district may require the employee to wait until the next semester.

Employees who have taken leave due to a personal health condition will be required to provide certification by their physician that the employee is able to resume work. In addition, the district reserves the right to consult with a public health official if there is any question about possible transmission of a disease in the school setting.



**GBGF-R: Federally-Mandated Family Leave (pg 3 of 3)**

Repayment of benefits:

In the event that an employee elects not to return to work upon completion of an approved unpaid leave of absence, the district may recover from the employee the cost of any payments made to maintain the employee's group health insurance coverage unless the failure to return to work was due to a continuation, recurrence or onset of a serious health condition as certified by a physician that entitles the employee to leave or for other reasons beyond the employee's control.

Benefit entitlements based upon length of service will be calculated as of the last paid work day prior to the start of the unpaid leave of absence.

Posting/notice to employees:

The administration will post notices explaining the Family and Medical Leave Act's provisions in locations where they can be readily seen by employees and applicants for employment.

The FMLA Fact Sheet published by the U.S. Department of Labor, wage and hours division, will be incorporated into all employee handbooks or provided directly to employees.

Adopted: October 1998

Revised: January 16, 2007

**GBGG: Certified Staff Sick Leave**

Sick leave shall be granted to certificated employees with full pay at the beginning of each contract year. Certificated personnel shall be granted twelve (12) sick leave days per contract year. All sick leave time will be converted to hours for accounting purposes. Twelve (12) sick leave days converts to 108 hours of sick leave time per contract year. All personnel requesting sick leave time will have the appropriate number of hours deducted from the total number of allowed hours per contract year.

Certificated employees not using any of the allotted hours of sick or personal leave time during a single contract year will be compensated \$200.00 at the end of the contract year as a reward for not missing any instructional time.

For days in excess of the authorized sick leave, a deduction in pay shall be made at the contracted daily rate of the annual salary for each day or fractional part of each day of sick leave used.

Unused sick leave days may accumulate to a maximum of ninety (90) days. All unused sick leave shall be forfeited when a teacher terminates his employment other than by retiring. Retiring teachers with unused sick leave shall be eligible for reimbursement of half (1/2) of their unused sick leave days over the first forty-five (45) accumulated up to a maximum of ninety (90) days. This reference to retiring teachers shall also apply at time of untimely death of a teacher.

Certificated personnel who work four (4) hours or more per day shall be allowed fifty percent (50%) of the sick leave benefits. Those working less than four (4) hours per day shall not be eligible for any sick leave benefits.

Personnel electing to "Double Dip" from PERA will be allowed to do so providing they comply with PERA guidelines.

Adopted: July 1979

Revised: August 27, 1979; December 17, 1980

Revised to conform with practice: September 28, 1981

Revised: July 25, 1983; November 28, 1983; July 29, 1984; 2000+?

CROSS REFS: GBGH, Sick Leave Bank; GBGF, Federally-Mandated Family Leave

**GBGG-A: Classified Staff Sick Leave/Annual Leave**

Sick leave shall be granted to non-certificated personnel with full pay at the beginning of each contract year. All sick leave time will be converted to hours for accounting purposes. Employees are eligible for ten (10) sick leave days per contract year which will be converted to 100 hours. All personnel requesting sick leave time will have the appropriate number of hours deducted from the total number of allowed hours per contract year.

Non-certificated personnel that have unused sick days may accumulate them to a maximum of ninety (90) days. All unused sick leave shall be forfeited when any classified employee terminates his/her employment or retires.

For days in excess of the authorized sick leave, a deduction in pay shall be made at the contracted daily rate of the annual salary for each day or fractional part of each day of sick leave used.

Part-time, non-certificated employees who work four (4) hours or more per day shall be eligible for fifty percent (50%) of the sick leave. Those working less than four (4) hours per day shall not be eligible for any sick leave benefits.

Secretaries and custodians who work all year shall be allowed two weeks of paid vacation at the end of their first year of service and each year thereafter. An employee who starts mid-year must work for six (6) months in order to receive one week paid vacation.

Adopted: July 17, 1979

Revised: December 17, 1980; July 29, 1984; January 8, 1991; 2000+?

CROSS REFS: GBGH, Sick Leave Bank; GBGF, Federally-Mandated Family Leave

## Primero RE-2 Board Policies Primero RE-2 School District • Weston, Colorado

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### **GBGG-B: Certified Personal Leave**

The Primero RE-2 School District will provide for all certified and classified employees one (1) day of personal leave per contract year to be used at the employee's direction.

Certificated employees not using any of the allotted hours of personal leave time during a single contract year will be compensated \$200.00 at the end of the contract year as a reward for not missing any instructional time.

Adopted: July 1979

Revised: August 27, 1979; December 17, 1980

Revised to conform with practice: September 25, 1981

Revised: July 25, 1983; November 28, 1983; July 29, 1984; 2000+?

CROSS REFS: GBGH, Sick Leave Bank; GBGF, Federally-Mandated Family Leave

**GBGI: Staff Military Leave**

An employee, as a member of a reserve or national guard unit or any branch of the military organized under state or federal law, who is required to take annual active duty during the school year shall be granted military leave with a right of reinstatement in accordance with state and federal law.

The employee shall receive full salary and benefits during such leave up to a maximum of fifteen (15) calendar days annually. All remaining leave to fulfill the annual military obligation shall be unpaid leave.

An employee taking leave under this policy shall forward a copy of their military orders to the superintendent or designee.

Military leave of absence without pay shall be granted to any regular, full-time employee who enlists for military duty with any branch of the United States armed forces or who is called into active military service in time of war or other emergency declared by the proper authority of the state or United States. The employee shall be considered on a leave of absence during military service.

Upon completion of military service, the employee shall be reinstated in the same or a similar position of like seniority, status and pay if such is available at the same salary and benefits which he would have received if he had not taken leave, subject to the following conditions:

- the position has not been abolished;
- the employee is not physically or mentally disabled from performing the duties of the position;
- the employee submits an honorable discharge or other form of release indicating the military service was satisfactory;
- the employee notifies the district of intent to return to work within the time period set out in law.

Upon reinstatement, the employee shall have the same rights with respect to vacation, sick leave and other benefits as if he or she actually had been employed during the time of such leave.

Adopted: October 1998

LEGAL REFS: 38 U.S.C. §2021 (*Veterans Re-employment Rights Act*); C.R.S. 28-3-601 *et seq.*

**GBGJ: Staff Bereavement Leave**

Bereavement Leave:

Professional staff members shall be allowed a maximum of five (5) days bereavement leave without loss of pay for deaths in the immediate family. Immediate family shall mean spouse, children, father, mother, brothers or sisters.

A maximum of three (3) days without loss of pay shall be allowed for the death of a father-in-law or mother-in-law.

A maximum of one (1) day without loss of pay shall be allowed for the death of a grandparent, brother-in-law, sister-in-law, uncle, aunt, nephew or niece.

Days taken for death of other relatives shall be considered either sick leave or "deduction in pay" at the option of the teacher.

Teachers shall be given bereavement leave between the time of death and the day after the funeral only if they make arrangements for the funeral and/or attend the services.

Adopted: July 17, 1979

Revised: December 17, 1980; October 1998

**GBGK: Staff Legal Leave**

The Board of Education recognizes the important role citizens play in our legal system, including the obligation to serve as jurors under appropriate circumstances and to appear in proceedings pursuant to subpoena or other court order.

All employees of the school district shall be excused for jury duty or when ordered to appear in a proceeding pursuant to subpoena or other court order with no jeopardy to their employment, compensation, sick leave or other leave.

Substitutes, when necessary, for employees shall be obtained in the usual manner and paid by the district for the duration of the legal leave.

Pursuant to state law, the district will pay employees \$50 per day for the first three days of jury service. If the employee normally earns more than \$50 per day, the employee will receive his/her normal compensation total rather than \$50. If an employee earns less than \$50 per day, the employee will receive \$50. The district will also pay the employee's reasonable expenses.

After the first three days, the state will pay jurors \$50 per day with no additional reimbursement for expenses from either the state or the district. The employee will continue to earn full salary or wages from the district while on legal leave.

The superintendent shall have the authority to request that an employee be excused from jury duty service or the service delayed provided the special nature of the employee's qualifications would make it difficult to serve an adequate substitute or if the timing of the proposed jury service affords a threat to the welfare of the school or the students concerned.

Adopted: ?

Revised: January 16, 2007

LEGAL REFS: C.R.S. 13-71-119; C.R.S. 13-71-126; C.R.S. 13-71-129; C.R.S. 13-71-132 through 13-71-134

**GBGL\*: Staff Victim Sick Leave**

Any staff member who has been employed with the district for at least twelve (12) months and is the victim of certain crimes/actions (listed below) may request and shall be granted up to three (3) additional working days of sick leave with pay during any 12-month period for any of the following purposes:

1. to seek a civil restraining order to prevent domestic abuse as it is defined in state law;
2. To obtain medical care or mental health counseling or both for the employee or his or her children to address related physical or psychological injuries;
3. To make his or her home secure from the perpetrator or to seek new housing to escape from the perpetrator; or
4. To see legal assistance to address related issues and attend and prepare for court-related proceedings.

Except in cases of imminent danger to the health or safety of the employee an employee seeking victim leave shall provide as much advance notice to the district as possible, as well as an appropriate documentation requested by the employee's supervisor. The employee must exhaust all other applicable leave prior to being granted this type of leave.

All information related to the employee's leave be kept confidential and copies of any related documents retained by the district shall be marked confidential and stored in a secure location separate from routine personnel documents.

This leave applies to the following crimes/actions as defined in state law;

1. Domestic
2. Stalking
3. Sexual assault
4. Any other crime where a court finds that the underlying factual basis includes an act of domestic violence.

Adopted: June, 2003

LEGAL REFS: C.R.S. 24-34-402.7 (*unlawful action against employees seeking protection*)



**GBJ: Personnel Records and Files (pg 1 of 2)**

The superintendent is authorized and directed to develop and implement a comprehensive and efficient system of personnel records under the following guidelines:

1. A personnel folder for each employee, certificated and classified, shall be accurately maintained in the district's administrative office. Personnel records shall include home addresses and telephone numbers, financial information, and other information maintained because of the employer-employee relationship.
2. All personnel records of individual employees shall be considered confidential except for the information listed below. They shall not be open for public inspection. The superintendent and designee shall take the necessary steps to safeguard against unauthorized use of all confidential material.
3. Employees shall have the right, upon request, to review the contents of their own personnel files, with the exception of references and recommendations provided to the district on a confidential basis by universities, colleges or persons not connected with the district.
4. The following information in the personnel records shall be available for public inspection:
  - a. applications of past or current employees;
  - b. employment agreements;
  - c. any amount paid or benefit provided incident to termination of employment;
  - d. performance ratings except for teacher evaluations as noted below;
  - e. any compensation including expenses allowances and benefits.
5. The evaluation report of certificated personnel, with the exception of the superintendent's evaluation, shall be confidential and available only to the evaluatee, to the administrators who supervise his work and to a hearing officer conducting a dismissal hearing or a court reviewing a dismissal decision. All public records used in preparing evaluation reports will remain open to public inspection.

## Primero RE-2 Board Policies Primero RE-2 School District • Weston, Colorado

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### GBJ: Personnel Records and Files (2 of 2)

6. A written evaluation or any other personnel record shall not reflect any good faith actions of any employee which were in compliance with the district's discipline code.
7. Lists of district employee's names and addresses shall not be released for general public use.
8. Personnel records shall be available upon request to members of the Board of Education.

Adopted: October, 1998

LEGAL REFS: C.R.S. 22-9-109  
C.R.S. 22-32-110 (4) (c)  
C.R.S. 24-19-108 (1) (c)  
C.R.S. 24-72-202 (1.3) and (4.5)  
C.R.S. 24-72-204

CROSS REFS: CBB, Recruitment of Superintendent  
GCE/GCF, Professional Staff Recruiting/Hiring  
JK, Student Discipline  
KDB, Public's Right to Know/Freedom of Information

**GBJA: Disclosure of Information to Prospective Employers**

Teachers:

Pursuant to state law, the school district shall, upon request, disclose to another school district or school, the reasons for a teacher's separation from employment with the district, any pertinent performance or disciplinary record of the teacher that specifically relates to any negligent action of the teacher that was found to endanger the safety and security of a student, and any disciplinary records that relate to behavior by the teacher that was found to have contributed to a student's violation of the school district's conduct and discipline code. This information shall only be disclosed to personnel authorized to review the personnel file in the requesting district and the person applying for a position as a teacher.

Other district employees:

With regard to all other former or current district employees, the district shall disclose to a prospective employer information relative to the employee's suitability for re-employment, including his or her work-related skills, abilities and habits. In the case of a former employee, the district shall also disclose the reason for the employee's separation.

Immunity provisions:

The school district, and its employees, agents and representatives authorized by the district to make such disclosures, shall be immune from civil liability for disclosing such information unless the district knew or should have reasonably known that the information was false.

Copy to employee:

When the district provides written information about a current or former employee to a prospective employer, it shall send a copy of that information to the employee upon request. The district shall also make such written available to the current or former employee upon request during normal business hours. A fair and reasonable price shall be charged by the district for any copies of the written information requested by the employee.

Adopted: October 1998

Revised: October 2000

LEGAL REFS: C.R.S. 8-2-114 (2), (3) and (5); C.R.S. 22-63-202

CROSS REFS: GCE/GCF, Professional Staff Recruiting/Hiring; GDE/GDF, Support Staff Recruiting/Hiring

**GBK: Staff Concerns/Complaints/Grievances**

It is the Board's desire that procedures for settling differences provide for prompt and equitable resolution at the lowest possible administrative level and that each employee be assured an opportunity for orderly presentation and review of complaints without fear of reprisal.

A "grievance" is defined as an alleged violation of Board of Education policies or administrative regulations that apply to all employees.

Nothing in this policy shall be construed to imply in any manner the establishment of personal rights not explicitly established by statute or Board policy. Neither shall anything in this policy be construed to establish any condition prerequisite relative to non-renewal of contracts, assignment, dismissal or any other employment decision relating to school personnel.

All employment decisions remain within the sole and continuing discretion of the administration and/or Board of Education, as appropriate, subject only to the conditions and limitations prescribed by Colorado law.

Adopted: October 1998

Revised: January 16, 2007

**GBK-R: Staff Concerns/Complaints/Grievances - Regulation**

Employee grievance procedure:

Individual or group grievances of employees shall be resolved as follows:

Step 1:

Employees are expected to attempt to resolve complaints informally by talking to the principal about their concerns prior to initiating a formal grievance. The principal will document the date, time and topic of discussion in his/her personal notes. The employee and principal will attempt to reach a mutual resolution to the concern at this meeting.

Step 2:

If the grievance is not resolved at step 1 and if the employee wishes to formalize the grievance process, the grievance shall next be presented in writing on forms provided by the school district to the principal. The principal shall render a written decision within 10 working days after receiving the grievance form. The employee may choose a personal representative to assist in any step of the grievance procedure.

Step 3:

If the grievance is not solved at Step 2, the employee then may present the grievance to the superintendent who shall conduct a hearing within 10 working days of receipt of the report from Step 2 and shall render a written decision within 10 working days of the hearing.

Step 4:

If the grievance is not solved at Step 3, the employee may request a hearing before the Board of Education, which will be held at its next regularly scheduled meeting, provided the request to be placed on the agenda is received at least one week prior to the next meeting. Otherwise, the board will hear the grievance at its subsequent regularly scheduled meeting. The board will hear the grievance in closed session unless the employee, administration and Board mutually agree to hear the grievance in open session. The decision of the Board shall be final and shall be made in writing within 15 working days of the hearing.

Notwithstanding the steps of the formal grievance procedure described above, an employee may discuss any problem at any time with any supervisor or administrator in the school system.

Revised: January 16, 2007

## Primero RE-2 Board Policies Primero RE-2 School District • Weston, Colorado

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### GC: Professional Staff

Note: Policies and regulations in the GC section (Professional Staff) pertain only to instructional and administrative staff members.

Teachers shall be in one of four classifications for purposes of the Colorado Teacher Employment, Compensation and Dismissal Act according to the terms of their employment:

**Teacher:** Teacher means any person who holds a provisional or professional teacher's license and who is employed to instruct, direct or supervise an instructional program. "Teacher" does not include persons holding letters of authorization or the superintendent.

**Teacher-in-Residence:** A person who does not have a teacher's license, but holds a Type VII authorization, who is hired to teach pursuant to a teacher-in-residence program implemented by the school district. A resident teacher is considered a probationary teacher when he or she begins the second year in the teacher-in-residence program.

**Probationary teacher:** A teacher on an annual contract who has not completed three (3) full years of continuous employment in the district and who has not been re-employed for the fourth year. A year of required service for probationary teachers is defined as a full school year if it includes that last 120 days of the academic year.

**Substitute teacher:** A teacher who performs services for a district for four (4) hours or more during each regular school day, but works on one continuous assignment for a total of less than 90 regular school days, or for less than one semester or equivalent time as determined by the annual school year calendar or district. Substitute teacher does not include a non-probationary or probationary teacher who is assigned as a permanent substitute teacher within the school district.

**Itinerant teacher:** An itinerant teacher who is employed by a district on a day to day or similar short-term basis as a replacement teacher for a non-probationary teacher, a probationary teacher or a part-time teacher who is absent or otherwise unavailable (no limit on the number of days worked). An itinerant teacher is considered a substitute teacher.

**Part-time teacher:** A teacher who normally works less than four (4) hours per day.

The Board shall approve all classifications upon recommendation of the superintendent.

Adopted: October 1998

Revised: July 1999, April 2003, June 2003

LEGAL REFS: C.R.S. 22-9-103 (1.5) (definition of licensed personnel); C.R.S. 22-32-109 (1)(f) (board duty to employ personnel); C.R.S. 22-32-109.7 (specific board duties regarding personnel); C.R.S. 22-32-110.3 (teacher in residence programs); C.R.S. 22-60.5-201 (types of teacher licenses); C.R.S. 22-60.5-201 (3)(b) (licensure reciprocity for out-of-state applicants); C.R.S. 22-63-103 (definitions in Teacher Employment Act); C.R.S. 22-63-210 (2) (hiring of person in teacher-in-residence program); C.R.S. 22-63-203 (2)(a)(II) (definition of probationary teacher); 20 U.S.C. §1119 (definition of highly qualified teacher contained in No Child Left Behind Act of 2001); 34 C.F.R. 200.55 (federal regulations regarding highly qualified teachers)

**GCA: Professional Staff Positions**

All instructional, administrative and supervisory positions in the school district shall be established initially by the Board. All changes in titles and/or responsibilities of administrative and supervisory positions shall be approved by the Board.

In each case, the Board shall approve the board purpose and function of the position in harmony with state laws and regulations and approve a statement of job requirements as recommended by the superintendent.

The Board delegates to the superintendent the task of writing job descriptions which must include any essential functions required for specific positions.

Adopted: October 1998

LEGAL REFS: C.R.S. 22-32-110 (1)(h); C.R.S. 22-60-101 through 22-60-105; C.R.S. 22-63-103

**GCAA\*: Highly Qualified Teachers (pg 1 of 2)**

Pursuant to federal law, teachers of core academic subjects (English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography) must be highly qualified as defined by the State of Colorado, as follows:

**Elementary School (K-6) Teacher:**

A highly qualified elementary school teacher is an elementary school teacher who holds at least a Colorado Provisional Teacher License, with an endorsement in “Elementary Education.” To qualify for such a license the highly qualified elementary teacher must:

1. possess a Bachelor’s degree;
2. have completed an approved regular or alternative teacher education preparation program in elementary education; and
3. have passed Colorado State content area test in his/her major teaching area.

**Secondary School Teacher (teaching only in his/her academic major field):**

A highly qualified secondary school teacher is a teacher who holds at least a Colorado Provisional Teacher License, with an endorsement in a field consistent with his/her academic major. To qualify for such a license the highly qualified secondary teacher must:

1. possess a Bachelor’s degree;
2. have completed an approved regular or alternative teacher education preparation program in secondary education; and
3. have passed the Colorado State content area test in his/her major teaching area.

**Secondary School (7-12) Teacher (teaching in more than one field):**

A highly qualified secondary teacher who teaches in more than one field, must in addition to the qualifications listed above, have at least 24 semester hours of specific college preparation in each field or subject area in which he/she teachers or have passed Colorado State teacher content area test in each of the fields in which he/she teaches.



**GCAA\*: Highly Qualified Teachers (pg 2 of 2)**

**Alternatively-prepared teachers:**

A highly qualified alternatively-prepared (alternative or teacher in residence program) elementary or secondary teacher will be considered highly qualified while in the alternative program if the teacher:

1. receives high quality professional development that is sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction, before and while teaching; and
2. participates in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or in a teacher mentoring program; and
3. participates in a program that does not exceed three years in duration; and demonstrates satisfactory progress towards full licensure.

Adopted: April, 2003

LEGAL REFS: U.S.C. 1119 (*definition of highly qualified teacher contained in No Child Left Behind Act of 2001*)

CROSS REFS: GCE/GCF, Professional Staff Recruiting/Hiring  
GCA, Professional Staff Positions

**GCAA\*-E-1:**

**Notice to Parents Regarding Qualifications of Title I Teachers and Paraprofessionals**

To: All parents of students enrolled in a Title I Schoolwide or Targeted Assistance Program

From: \_\_\_\_\_ [Principal]

Date: \_\_\_\_\_

As a parent of a student who is in a Title I Schoolwide or Targeted Assistance Program at Primero RE-2 School District, you have a right under federal law to request information about the professional and qualifications of the teachers who instruct your child and the paraprofessionals, if any, who assist them. The No Child Left Behind Act of 2001 gives you the right to ask for the following information about each of your child's classroom teachers and their paraprofessional assistants, if any:

- Whether the State of Colorado has licensed or qualified the teacher for the grades and subjects he or she teaches.
- Whether the teacher is teaching under an emergency license (letter of authorization) or other provisional status by which states licensing criteria have been waived.
- The teacher's college major, whether the teacher has any advanced degrees and, if so, the subject of the degrees.
- Whether any instructional aides or paraprofessionals provide services to your child and, if they do, their qualifications.

If you would like to receive any of this information, please contact me at (719)868-2715, or by writing to my office at Primero RE-2 School District, 20200 Hwy 12, Weston, Colorado, 81091

GCAA\*-E-2

**Notice to Parents of a Title I Student of  
Assignment to a Teacher Who is Not Highly Qualified**

Date: \_\_\_\_\_

Dear \_\_\_\_\_ (*name of parent*):

This letter is to inform you that \_\_\_\_\_, a student at Primero Re-2 School District, has been assigned to \_\_\_\_\_ [*name of teacher*] for \_\_\_\_\_ [*core subject*]. Under the federal No Child Left Behind Act of 2001, children who qualify for Title I services have a right to be taught in core subjects by “highly qualified” teachers. Because our school receives federal funds under Title I, we must inform you that \_\_\_\_\_ [*name of teacher*] is not considered “highly qualified” to teach this subject at your child’s grade level.

In order to be considered “highly qualified” under the federal law, teachers hired before the 2002-03 school year must hold at least a provisional teacher license, at least a bachelor’s degree and either demonstrate competence as defined by the Colorado Department of Education in all academic subjects in all academic subjects in which the teacher teaches or meet the same requirements as a newly hired teacher. Newly hired (hired after the beginning of the 2002-02 school year) elementary teachers must hold a bachelor’s degree, and pass a state test for teachers in reading, writing and other areas of the elementary curriculum. Newly hired middle school and high school teachers must meet the same licensure and degree requirements and pass a state test in the subject area in which they teach or have an academic major, graduate degree or comparable course work in the subject.

To date our observations of \_\_\_\_\_ [*name of teacher*]’s classroom indicate that he/she is providing a satisfactory educational program and experience. In addition, \_\_\_\_\_ [*name of teacher*] is working toward obtaining his/her full license and if all proceeds according to plan, should complete all requirements by the following date: \_\_\_\_\_.

**GCAA\*-E-3**

**Notice to Parents of a Title I Student That Child Has Been Taught for Four or More Weeks  
by a Teachers Who is Not Highly Qualified**

Date: \_\_\_\_\_

Dear: \_\_\_\_\_ [*name of parent*]:

This letter is to inform you that \_\_\_\_\_, a student at Primero RE-2 School District, has been assigned to \_\_\_\_\_ [*name of teacher*] for \_\_\_\_\_ [*core subject*] for the past four (4) weeks. Under the federal No Child Left Behind Act of 2001, children who qualify for Title I services have a right to be taught in core subjects by “highly qualified” teachers. Because our school receives federal funds under Title I, we must inform you that \_\_\_\_\_ [*name of teacher*] is not considered “highly qualified” to teach this subject at your child’s grade level.

In order to be consider “highly qualified” under federal law, teachers hired before the 2002-03 school year must hold at least a provisional teacher license, at least a bachelor’s degree and either demonstrate competence as defined by the Colorado Department of Education in all academic subjects in which the teacher teaches or meet the same requirements as newly hired teacher. Newly hired (hired after the beginning of the 2002-03 school year) elementary teachers must hold a bachelor’s degree, and pass a state test for teachers in reading, writing and other areas of the elementary curriculum. Newly hired middle and high school teachers must meet the same licensure and degree requirements and pass a state test in the subject area in which they teach or have an academic major, graduate degree or comparable course work in the subject.

To date our observations of \_\_\_\_\_ [*name of teacher*]’s classroom indicate that he/she is providing a satisfactory educational program and experience. In addition, \_\_\_\_\_ [*name of teacher*] is working toward obtaining his/her full license and if all proceeds according to plan, should complete all requirements by the following date: \_\_\_\_\_

If you have any questions about your child’s assignment to this class, please contact \_\_\_\_\_, Superintendent at Primero RE-2 School District, 20200 State Hwy 12, Weston, CO 81091 or call 719-868-2715

Sincerely,

Superintendent, Primero RE-2 School District

**GCAA\*-E-4**

**Response to Parental Request for Information on Teacher on of  
Paraprofessional Qualifications**

Date: \_\_\_\_\_

Dear \_\_\_\_\_ (*name of parent/guardian*):

Thank you for your request for information about the qualifications of the teacher who instructs your child, \_\_\_\_\_, at our school. We appreciated your interest in your child's education.

\_\_\_\_\_ is currently in \_\_\_\_\_ at Primero RE-2 School District.

Your child's teacher's name is \_\_\_\_\_.

\_\_\_\_\_ is licensed to teach the following subjects and grades  
\_\_\_\_\_.

\_\_\_\_\_ is currently provisionally licensed or is teaching under a waiver of licensure requirements.

\_\_\_\_\_ 's college degree major was \_\_\_\_\_. This teacher has advanced degrees including the following:

\_\_\_\_\_.

\_\_\_\_\_ is assigned to assist with your child's instruction. She/he has the following qualifications: \_\_\_\_\_.

Again, thank you for your interest in your child's education. If you have any further questions about your child's educational program, please call me.

Sincerely,

Superintendent  
Primero RE-2 School District

GCAA\*-E-5

**Sample Letter to Teachers Regarding Qualifications**

Date: \_\_\_\_\_

Dear \_\_\_\_\_ (*name of teacher*):

The purpose of this letter is to notify you of a new federal law, The No Child Left Behind Act of 2001 (NCLB), which requires all teachers who currently work in Title I School wide or Targeted Assistance Programs to be “highly qualified.”

In order to be considered “highly qualified” under the federal law, teachers hired before the 2002-03 school year must hold at least a provisional teacher license, at least a bachelor’s degree and either demonstrate competence in all academic subjects in which the teacher teaches or meet the same requirements as a newly hired teacher. Newly hired (hired after the beginning of the 2002-02 school year) elementary teachers must hold a bachelor’s degree and pass a state test in reading, writing and other areas of elementary curriculum. Newly hired middle and high school teachers must meet the same licensure and degree requirements and pass a state test in the subject area in which they teach or have an academic major, graduate degree or comparable course work in the subject.

These requirements will apply to all teachers who teach in core academic areas (English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history and geography) in all schools by the end of the 2005-06 school year.

The Primero RE-2 School District would like to help you determine what, if anything, you may need to do to meet these requirements. Please call me at the phone number below to arrange a time to meet regarding your qualifications.

Sincerely,

Superintendent  
Primero RE-2 School District  
719-868-2715

**GCBA: Instructional Staff Contracts/Compensation/Salary Schedules**

The Board annually shall adopt a salary schedule for its regular teaching personnel and shall place each teacher in the school district on the salary schedule at least commensurate with, but not limited to, education, prior experience, and experience in the district. The schedule adopted by the Board shall remain in effect until changed or modified by the Board in accordance with law. If the Board declares a fiscal emergency during a budget year as allowed by state law, it may reduce salaries for all employees on a proportional basis or the work year of employees may be altered. Any such reduction in salaries may be made notwithstanding any adopted salary schedule or policy.

Salary increments shall be conditioned upon evidence of the continued professional growth of the teacher. Within the framework of state statutes, employees who do not comply with the requirements of the Board and state may not be granted salary increases or may not be retained on the staff.

Placement on the salary schedule shall be in accordance with requirements developed by the administration and approved by the Board.

The district shall comply with statutory provisions regarding salary schedules.

Adopted: October 1998

Revised: June 2003

LEGAL REFS: C.R.S. 22-32-110(5) (agreement with employee group cannot exceed one year term, unless subject to reopened on salaries and benefits); C.R.S. 22-44-115.5 (2) (reductions in salary or alteration of work year due to fiscal emergency); C.R.S. 22-60-107 (renewal of teacher licenses); C.R.S. 22-63-401 through 403 (teacher compensation laws)

CROSS REFS: DBK\*: Fiscal Emergencies

### GCBA: Performance Pay for Instructional Staff

The Board of Education's primary mission is to ensure that all students in the district reach their academic potential by meeting or exceeding state and district academic standards. To that end, the Board believes that basing teacher compensation on student performance growth through a performance pay plan will improve student achievement and enable the district to attract and retain top quality teachers.

The superintendent is directed to develop and institute a performance pay plan that ties teacher compensation directly to achievement growth of a teacher's students. The plan shall be designed to encourage continued professional growth of teachers by providing significant financial incentives for obtaining and demonstrating skills that translate into higher student achievement. The plan shall be multi-faceted and shall not rely solely on standardized test scores. Student classroom, teacher, and district devised test scores, standardized test scores and other evidence of student achievement shall measure student achievement growth.

In addition to direct compensation, the plan shall provide bonuses for outstanding teachers and for grade-level, group or school improvement, and shall compensate teachers for duties and responsibilities that are not presently compensated but that contribute to increased student achievement.

In developing the plan, the superintendent shall ensure that the plan rewards systematic progress toward achieving district goals; that the measurement components of the plan assure as much equity, objectivity, and fairness as possible; and that existing staff salaries are protected.

The superintendent shall involve administrators, teachers, students and community members in developing, implementing and monitoring the performance pay plan. At the end of each academic year, the plan shall be formally reviewed and revised as necessary.

The superintendent shall ensure that teacher evaluation and staff development programs are aligned with the performance pay plan.

Adopted: April 2000

LEGAL REFS: C.R.S. 22-32-110(5) (agreement with employee group cannot exceed one year term); C.R.S. 22-44-115.5 (2) (fiscal emergency); C.R.S. 22-60-107 (renewal of teacher licenses); C.R.S. 22-63-401 through 403 (teacher compensation laws)

CROSS REFS: DBK\*: Fiscal Emergencies



#### GCBC: Professional Staff Supplementary Pay Plans/Overtime

Teachers who are regularly assigned to duties which require extra time or responsibilities over and above their contractual obligations shall receive extra compensation in accordance with a supplementary salary schedule set annually by agreement between the Board and representatives of the instructional staff. Most stipends shall be paid on an annual or seasonal basis, although certain assignments performed at irregular or infrequent intervals may be paid at an hourly rate.

Faculty members to be appointed to extra-compensation positions shall be recommended by the superintendent and approved by the Board. Appointees shall be issued a contract for the terms of the extra employment, stating their particular assignment, its duration and the compensation to be paid.

Coaches shall be paid salaries that are commensurate with the demands of their specific coaching assignments.

Beginning with the 2007-2008 school year and until the Board of Education revises this policy and pay schedules, all supplementary pay plans for teachers are frozen at 2006-2007 levels due to budgetary limitations. Bus driver wages are not included in this pay freeze.

Adopted: October 1998

Revised: October 2007

LEGAL REF: C.R.S. 22-63-206 (3)

#### GCBD: Professional Staff Fringe Benefits

Benefits in addition to basic salary are recognized by the Board as an integral part of the total compensation plan for staff members. The benefits extended to the professional staff shall be designed to promote their present and future economic security and provide incentive for professional development that will be of benefit to the district.

Employees who work regularly six or more hours per day are covered by the district's group life insurance and long-term disability insurance plans.

All full-time regular certificated employees are eligible for the district's health insurance plan. These employees also may participate in the district's tax-sheltered annuity program.

Full-time regular certificated employees not covered by a negotiated agreement shall be extended fringe benefits at least equal to that of other professional employees.

School district employees shall participate in the Public Employees' Retirement Association in which both the employee and the school district make monthly contributions.

#### Workers' Compensation:

All district employees are covered under the Workers' Compensation Insurance Plan and shall be entitled to all the prescribed benefits.

Adopted: October 1998

LEGAL REF: C.R.S. 8-40-101 et seq. through 8-47-101 et seq. (Workers' Compensation Act of Colorado); C.R.S. 22-32-110 (1)(j); C.R.S. 24-51-101 et seq. (Public Employees' Retirement Association)

CROSS REF: GBGD, Workers' Compensation

GCD: Professional Staff Vacations and Holidays

Vacation Allowance for 12-month certificated personnel:

All full-time certificated personnel (those working at least 210 days per contract year) shall be entitled to annual vacation leave of fifteen (15) working days per year.

Vacation days accumulated during a contract year must be used before August 31 of that year except that, with the specific approval of the employee's supervisor and the superintendent, vacation days may be held over to the following year, up to a maximum of two (2) years' vacation leave.

Adopted: October 1998

LEGAL REF: C.R.S. 22-1-112

**GCE/GCF: Professional Staff Recruiting/Hiring (pg 1 of 2)**

**Recruiting:**

The Board desires the superintendent to develop and maintain a recruitment program designed to attract and hold the best possible personnel in the district's schools.

It is the responsibility of the superintendent, with the assistance of other administrators, to determine the personnel needs of the district in general and of each individual school and to locate suitable candidates to recommend to the Board for employment. The search for good teachers and other professional personnel shall extend to a wide variety of educational institutions and geographical areas. It shall take into consideration the diverse characteristics of the school system and the need for staff members of various backgrounds.

Recruitment procedures shall not overlook the talents and potential of the individuals already employed in the district schools. Any present employee of the Board may apply for a position for which he or she is licensed and meets other stated requirements.

**Background checks:**

Prior to hiring any person, in accordance with state law the district shall conduct background checks with the Colorado Department of Education and previous employers regarding the applicant's fitness for employment. In all cases where credit reports are used in hiring process, the district shall comply with the Fair Credit Reporting Act.

**Hiring:**

There shall be no discrimination in the hiring process on the basis of race, color, sex, religion, national background, age, marital status, disability, or handicap.

All candidates shall be considered on the basis of their merits, qualifications, and the needs of the school district. The Board directs that recruitment procedures will give preference to candidates who meet the NCLB definition of highly qualified.

All interviewing and selection procedures shall ensure that the administrator directly responsible for the work of a staff member has an opportunity to aid in the selection. However, the final selection for nomination shall be made only by the superintendent.

**GCE/GCF: Professional Staff Recruiting/Hiring (pg 2 of 2)**

**Appointment of candidates:**

Nominations shall be made at regular monthly meetings of the Board of Education. The vote of a majority of the Board shall be necessary to approve the appointment of teachers, administrators or another employee of the school district. If there is a negative vote by the Board, the superintendent shall submit a new recommendation to the Board for approval.

Upon hiring of any employee, information required by federal and state child support laws will be timely forwarded by the district to the appropriate state agency.

Adopted: October, 1998

Revised: September, 1999

July, 2001

LEGAL REFS: C.R.S. 14-14-111.5 (Child Support Enforcement procedures)  
C.R.S. 22-32-109 (1) f (Board duty to employ personnel)  
C.R.S. 22-32-109.7 (duty to make inquiries prior to hiring)  
C.R.S. 22-32-126  
C.R.S. 22-60.5-114 (3) (State Board can waive some requirements for provisional license applications upon request of school district)  
C.R.S. 22-60.5-201 (licensure reciprocity for out-of-state residents)  
C.R.S. 22-61-101  
C.R.S. 22-61-103  
C.R.S. 22-63-201  
C.R.S. 22-63-202  
C.R.S. 24-34-402 (1) (discriminatory and unfair employment practices)  
C.R.S. 24-72-202 (4.5) (definition of personnel file in open records law)  
42 U.S.C. 653 (a) (Personal Responsibility and Work Opportunity Reconciliation Act)  
15 U.S.C. 1681 et seq. (Fair Credit Reporting Act)

CROSS REFS: GBA, Open Hiring/Equal Employment Opportunity and Affirmative Action

**GCE/GCF-R: Professional Staff Recruiting/Hiring – Regulation (pg 1 of 4)**

Applications of all regular licensed personnel to be employed by the district will be processed according to this procedure. Short-term, temporary or interim appointments may be made directly by the superintendent, subject to the approval of the Board of Education, without following the advertising procedure.

**Vacancies:**

All regular vacancies will be advertised by the department of personnel.

**Applications:**

All applications will be submitted to the personnel office.

Current employees may apply for supplemental pay positions by submitting a letter outlining their qualifications for the position they are seeking.

All applicants will report to the personnel office and complete an application form.

**Initial screening and interview:**

The personnel office will screen applications and conduct the initial interview with all applicants. The objective of the screening and initial interview process are to:

determine if the applicant meets the requirements of the No Child Left Behind Act of 2001 (NCLB) for designation as a highly-qualified teacher;

determine the suitability of the applicant for the specific position;

determine those applicants who are most qualified for the position;

discuss with the applicants any district policies and procedures pertinent to the job and to the employment process.

Background checks

**Prior to hiring, the personnel office will:**

Check with the Colorado Department of Education to determine if there is any information on record indicating the applicant has been convicted of a felony or misdemeanor crime involving unlawful sexual behavior or unlawful behavior involving children or a misdemeanor crime that involves domestic violence.

The department's records will indicate if the applicant has been convicted of, pled *nolo contendere* to or received a deferred sentence for such crimes. The department also will provide any available information to indicate whether the applicant has been dismissed by or resigned

**GCE/GCF-R: Professional Staff Recruiting/Hiring – Regulation (pg 2 of 4)**

from a school district as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior which was supported by a preponderance of evidence according to information provided to the

department by a school district and confirmed by the department in accordance with state law.

Information of this type that is learned from a different source shall be reported by the district to the department.

The department will not disclose any information reported by a school district unless and until the department confirms that the allegation resulted in the person's name being placed on the state central registry of child protection.

Contact previous employers of the applicant to obtain information or recommendations relevant to the applicant's fitness for employment.

Fingerprinting non-licensed administrators:

All non-licensed applicants selected for employment in an administrative position must submit a complete set of fingerprints taken by a qualified law enforcement agency or an authorized district employee and a notarized, completed form (described in the next bullet, below) as required by state law.

On the form the applicant must certify either the he or she has never been convicted of a felony or misdemeanor charge, not including any misdemeanor traffic offense, of that he or she has been convicted of a felony or misdemeanor charge (not including any misdemeanor traffic offenses). The certificate must specify the felony or misdemeanor, the date of conviction and the court entering judgment.

The school district will release the fingerprints to the Colorado Bureau of Investigation for the purpose of conducting a state and national fingerprint-based criminal history record check utilizing the records of the Colorado Bureau of Investigation and the Federal Bureau of Investigation.

Although an applicant may be conditionally employed prior to receiving the results, and he or she may be terminated if the results are inconsistent with the information provided on the form. The district will notify the district attorney of such inconsistent results for action or possible prosecution.

Each applicant shall be responsible for submitting the full, nonrefundable fee, as determined by the Colorado Bureau of Investigation, at the time the fingerprint card is submitted to CBI. All fees must be paid by certified check or money order and made payable to CBI. The certified check or money order must accompany the completed fingerprint card.

**GCE/GCF-R: Professional Staff Recruiting/Hiring – Regulation (pg 3 of 4)**

Credit reports:

The personnel office will not obtain a credit report on an applicant unless the office has first notified the individual in writing, in a document consisting solely of the notice, that the district would like to obtain a credit report and requesting the individual's written authorization to obtain the report. A credit report will only be requested when the applicant submits a written authorization.

The personnel office will not rely on a credit report in denying an application unless the office has first supplied the applicant with a disclosure that includes a copy of the credit report and a summary of the applicant's rights. If an application for employment is denied because of the credit report, the personnel office will give the applicant notice that the action has been taken, as well as:

the name, address and phone number of the credit bureau supplying the report;

a statement that the credit bureau was not involved in the decision to deny the application; and

a notice of the applicant's right to dispute the information in the report.

Placement interview:

Determine whether the applicant can handle the specific assignment;

Determine the best applicant for the position, giving due consideration to the district's affirmative action plan;

Discuss with the candidate any building or departmental regulations pertinent to the job.

Selection:

In the selection of *secondary teachers*, the principal and department chairman will interview the qualified applicants, and the decision regarding selection will be made by the principal.

In the selection of *elementary teachers*, the principal will interview the qualified applicants, and the decision regarding selection will be made by the principal and the personnel director.

In the selection of *athletic coaches*, the principal and director of athletics will interview the qualified applicants, and the decision regarding selection will be made by the principal, the director of athletics, and the personnel director. In the selection of assistant athletic coaches, the head coach of that sport will be involved in the interview process.

In the selection of *department chairpersons*, the principal and director of secondary education will interview the qualified applicants, and the decision regarding selection will be made by the principal, the director of secondary education and the personnel director.



**GCE/GCF-R: Professional Staff Recruiting/Hiring – Regulation (pg 4 of 4)**

If the principal, department chairman, director of athletics, head coach, personnel director or director of secondary education are not available during a vacation period and at a time when a selection must be made, the selection will be made by those applicable persons present under the specific direction of the superintendent.

Contract of job offer:

Only the personnel office is authorized to offer new or supplemental pay contracts and/or jobs to current employees or applicants.

Information to report to state:

In accordance with federal and state law, the personnel office will report the name, address and social security number of every new employee to Child Support Enforcement, 1375 Sherman Street, Denver, Colorado, 80203.

This report, due within twenty (20) days of the date of the hire or on the first payroll after the twenty (20) days have expired, shall be submitted even if the

employee quits or is terminated before the report is due. Upon termination, the employee's last known address and the fact of the termination shall be reported to the applicable court or agency.

Upon receiving a Notice of Wage assignment, the district shall remit the designated payment within seven (7) days of withholding the income according to instructions contained in the Notice. Child support withholding takes priority over other legal actions against the same wages.

This report, due within twenty (20) days of the date of the hire or the first payroll after the twenty (20) days have expired, shall be submitted even if the employee quits or is terminated before that report is due. Upon termination, the employee's last known address and the fact of the termination shall be reported to the applicable court or agency.

Upon receiving a Notice of Wage assignment, the district shall remit the designated payment within seven (7) days of withholding the income according to instructions contained in the Notice. Child support withholding takes priority over other legal action against the same wages.

**GCG/GCGA: Part-Time and Substitute Professional Staff Employment/Qualifications of Substitute Staff**

The Board of Education shall maintain an authorized list of personnel to be used for substitute or part-time employment. Prior to adding a person's name to the list, a background check shall be carried out in accordance with state law.

The Board authorizes the superintendent to notify and direct persons on the list to perform such service for the district as may be required on a temporary basis. The Board authorizes principals to notify and direct persons on the list to perform as substitutes on a temporary basis as needed.

The Board shall approve such action at the next regular meeting. Authorizations by the Board of Education to pay personnel performing services on a temporary basis shall constitute employment by the Board for services provided during the period of time covered by such payment.

Such payment shall not constitute any assurance or offer of continuing employment without specific Board action.

Every person placed on the authorized list shall be given a copy of this policy prior to performing services pursuant to this policy.

The Board annually shall determine the district's needs for substitute teachers and the availability of substitute teachers who meet the licensure requirements of state law. If it is determined that a shortage of qualified substitute teachers exists, the Board shall attest that an emergency exists due to a demonstrated shortage of licensed or authorized substitute teachers in the district. If these conditions exist, qualified applicants shall be encouraged to apply for emergency substitute authorization in accordance with state regulations.

All persons hired as emergency substitute teachers shall be fingerprinted in accordance with the requirements of state law.

The Board directs the administrators to take any necessary steps to increase the available pool of substitute teachers by encouraging qualified persons to seek the appropriate license or authorization as provided by state law and regulation.

Adopted: October 1998

LEGAL REFS: C.R.S. 22-9-106 (1)(b); C.R.S. 22-32-109.7; C.R.S. 22-32-109.8; C.R.S. 22-60.5-111; C.R.S. 22-63-103 (6), (10); 1 CCR 301-37, Rules 2202-R-4.09

CROSS REFS: GCE/GCF, Professional Staff Recruiting/Hiring; GCOA, Evaluation of Instructional Staff; GDE/GDF, Support Staff Recruiting/Hiring

**GCHA/GCHB: Mentor Teachers/Administrators (pg 1 of 2)**

The superintendent shall develop guidelines for selecting mentors to work with provisional licensees in the district's induction program. Educators selected as mentors should be those who model outstanding skills and school leadership as teachers, principals or administrators, as appropriate, and who have demonstrated exemplary skills under the district's performance standards.

Principals and supervisors should encourage effective, experienced educators to take advantage of the mentoring program as a staff development opportunity. Those who are selected as mentors should work well with adults, be sensitive to the viewpoint of others, and demonstrate interpersonal and public relations skills.

To the extent possible, the guidelines for the assignment of mentors shall provide that the mentor is closely matched to the inductee in terms of academic preparation and assignment and be located, when possible, in close proximity to the inductee.

The mentor shall be responsible for long-term orientation of the mentee as the individual prepares for professional licensure. The mentor shall maintain a log of contact time and activities completed by the mentor and mentee as part of the induction program.

The assistance provided through a mentor shall not be part of the district's formal evaluation system. A staff development program shall be available for mentors.

Mentors shall be compensated for their assistance in accordance with district policy or, if the mentor is from another district, at the rate agreed upon between the districts.

Principals/administrators:

Mentors for principals and other administrators may be selected from a variety of sources including school district personnel, personnel from other districts and retired administrators.

Mentors selected for principals and administrators with provisional licenses shall be:

experienced administrators or principals;

perceived by colleagues as effective;

selected to match the experience of the inductee.

**GCHA/GCHB: Mentor Teachers/Administrators (pg 2 of 2)**

Mentors must:

have demonstrated effective communication skills including problem solving and written communication;

have demonstrated skills in questioning and giving feedback;

be committed to ongoing professional growth.

Adopted: October 1998

LEGAL REFS: C.R.S. C.R.S. 22-60.5-102 (12), (13), (14), (15)

CROSS REFS: GCHC\*, Professional Staff Induction Program

**GCHC\*: Professional Staff Induction Program (pg 1 of 2)**

In accordance with law, the district shall provide an induction program for the continuing professional development of teachers, special service providers, principals and administrators with provisional licenses just entering the profession and new to the district.

The purpose of the induction program under the educator licensing law shall be to promote purposeful learning by inductees rather than learning about the district and teaching through trial and error. The goal of the district's program is to enhance the job satisfaction of its educators by providing a collegial atmosphere for teaching and learning.

The induction program shall provide for supervision by mentors and ongoing professional development and training, including ethics and performance evaluations in accordance with the district's performance evaluation system.

The district's induction program shall include four major components:

orientation of newcomers to new professional roles;

socialization and transition problems normally faced by newcomers to organizations;

technical skill refinement and development including ethics;

performance assessment.

Through the induction program, inductees shall be provided information about Board of Education policies and regulations, local district goals, content standards, and educator roles and responsibilities.

A mentor shall be selected for each inductee to model the professionalism of the teaching staff by this district.

It is recognized that the content and experience needed by an inductee will vary, based on each individual's previous experiences prior to receiving a provisional license.

The district delivering the induction program shall establish criteria to evaluate an inductee who has successfully completed the program. Among the important criteria shall be completion of activities listed in the inductee's professional growth plan, evidence in the inductee's portfolio of meeting or exceeding the professional educator standards, satisfactory summative evaluation by the supervisor and recommendation by the mentor and supervisor.

The superintendent shall make a recommendation to the Board of Education regarding the completion of the induction program. The superintendent shall be responsible for recommending the inductee to the state for a professional license.

**GCHC\*: Professional Staff Induction Program (pg 2 of 2)**

Nothing in this policy nor in the induction program itself shall be construed to imply in any manner the establishment of any property rights or expectancy or entitlement to continued employment. A favorable recommendation that a provisional teacher receive a professional teaching license at the conclusion of the induction program is a decision separate and distinct from any decision about continued employment in the district. All employment decisions remain within the sole and continuing discretion of the Board of Education.

District personnel shall establish a process to evaluate the district's induction program so that it fits within the comprehensive district-wide professional growth plan for district personnel.

Adopted: October 1998

LEGAL REFS: C.R.S. 22-60.5-102 (7); C.R.S. 22-60.5-114 (2); C.R.S. 22-60.5-201 (1)(c)(I)(B); C.R.S. 22-60.5-204 (*teachers*); C.R.S. 22-60.5-210 (1)(b)(I)(B); C.R.S. 22-60.5-213 (*special services providers*); C.R.S. 22-60.5-301 (1)(b)(I)(C); C.R.S. 22-60.5-304 (*principals*); C.R.S. 22-60.5-306 (1)(b)(I)(C); C.R.S. 22-60.5-309 (*administrators*)

CROSS REFS: GCHA/GCHB, Mentor Teachers/Administrators

**GCI: Professional Staff Development**

The Board shall strive to provide school personnel with opportunities for professional growth on an ongoing basis to improve their professional skills and knowledge, which in turn will enhance school quality and student achievement.

The purpose of the staff development program is to enable staff to learn, practice and evaluate new approaches to instruction, curriculum, assessment and the use of technology in the classroom.

The superintendent shall provide for a program of inservice education for teachers, administrators and other employees. The superintendent or designee may nominate consultants and lecturers, work with colleges and universities in developing staff programs, provide professional libraries, recommend temporary leaves for conferences or study, and design other plans to help employees carry out their responsibilities and work with students, one another and parents more effectively.

The office of staff development shall coordinate professional development programs. It shall identify needs, including priority needs, of the school system for staff training, provide training and assist schools in doing so, and evaluate the effectiveness of training. The dates of all inservice programs shall be included in the district or individual school calendar.

Identification of priority needs for training shall take into consideration the Board's priority goals for the district and standards for student learning, new curricula that has been or will be instituted, the Board's graduation and promotion requirements, and student needs as shown by competency tests. The office of staff development also shall attempt to provide the particular inservice programs identified as needed by administrators, teachers and citizen advisory groups.

Inservice programs may be required of teachers and administrators. Other programs shall be offered on a voluntary basis.

Adopted: October 1998

LEGAL REFS: C.R.S. C.R.S. 22-7-407 (2)(e) (provide. Professional Educator development in Standards-Based Education); C.R.S. 22-32-109 (1)(n), (z) (next school year length; Child Protection Act); C.R.S. 22-32-110 (1)(k) pol. (and regulation for professional growth, inservice training); C.R.S. 22-60.5-110 (3)(b) (renewal of license and professional development); 1 CCR 301-1, Rule 2202-R-2.05 (2)

CROSS REFS: ADA, School District Goals and Objectives; AE, Accountability/Commitment to Accomplishments; AEA, Standards-Based Education; IA, Instructional Goals and Learning Objectives

**GCID: Professional Staff Training, Workshops and Conferences**

Because the Board desires its professional staff to stay abreast of current trends and developments in education, the annual budget of the district shall provide a specified amount for school visitations, conferences and conventions.

Employees authorized by the superintendent to represent the school system at such educational meetings will be allowed salary and expenses in conformance with regulations on expense reimbursement.

Employees other than those selected as official representatives may be allowed by the superintendent to attend recognized meetings and conferences with no loss of salary but without allowance for expense. The salary of a substitute may be deducted from a teacher's salary for excused absence for attendance at such meetings when so specified by the superintendent.

Insofar as advantageous to the district, a rotation system shall be used in assigning staff members to attend regularly held conventions and conferences, but assignments also shall take into consideration the role the staff member will play at the meeting and his/her ability to share the benefit he/she derives from it with other staff members.

Absence for the purposes of attending area, state or national meetings may be approved by the superintendent within amounts budgeted for such purposes. Any leave for visitations or conferences involving exceptional expenses shall require prior Board action.

Adopted: October 1998

CROSS REF: DKC, Expense Authorization/Reimbursement



**GCKA: Instructional Staff Assignments and Transfers**

The assignment of instructional staff members and their transfer to positions in the various schools and departments of the district shall be recommended by the superintendent and approved by the Board of Education. The following criteria shall serve as guidelines:

contribution which staff member could make to students in a new position;

qualifications of staff member compared to those of outside candidates, both for position to be vacated and for position to be filled;

recommendation and/or approval of the principal(s) involved;

opportunity for the staff member's professional growth;

wishes of staff member regarding assignment or transfer.

A teacher's request for transfer will be granted whenever the best interests of the schools will be served. Whenever a request for a transfer is made, it is ethical and desirable in most cases for all parties concerned to discuss the merits of the request in an effort to arrive at a common understanding. The request for transfer will be submitted to the principal in charge of the building where the teacher is presently assigned. After being approved by the principal, the request will be filed with the superintendent.

Transfers from one building to another or one grade level to another may be made in order to fit personnel into their proper level. This may be done upon the advice of the building principal and with the agreement of the principal to whom the transfer will be made or upon the recommendation of the supervisor.

The assignment of a teacher to a specific building will not imply permanent assignment to that building.

Adopted: October 1998

LEGAL REFS: C.R.S. 22-32-126 (3); C.R.S. 22-63-206

**GCKB: Administrative Staff Assignments and Transfers**

A teacher who holds an administrative position may be assigned to another position for which he or she is qualified if a vacancy exists in such a position. The assignment may be with a reduction in salary. However, if the district has adopted a general or combination salary schedule, the teacher must be placed on the salary schedule at the position to which the teacher would have been entitled had the teacher remained on the schedule during the time he or she occupied the administrative position. If the transfer occurs during the school year, the teacher's salary may not be reduced during the remainder of that school year.

The three school years of continuous employment required for the probationary period is not deemed interrupted if a probationary teacher accepts the position of superintendent. However, the period of time during which a probationary teacher serves in such capacity will not be included in computing the probationary period.

Adopted: October 1998

LEGAL REFS: C.R.S. 22-63-203 (2)(b)(IV); C.R.S. 22-63-206 (2)

**GCL: Professional Staff Schedules and Calendars**

The following policies shall govern the time schedules of instructional personnel:

The work year for regular, full-time instructional employees employed on a school-year basis shall be 145 days. Of the 145 days, 139 shall be planned student-teacher contact and instruction days; while six (6) days shall be used for district and building orientation, inservice training or curriculum development.

If the Board declares a fiscal emergency during the budget year as allowed by state law, it may alter the work year of all employees.

Generally, the working day for these employees shall be determined by the school day established for students and by the instruction and activity schedules set up by the principal.

Every effort shall be made by the administration to provide a uniform work day for employees where this is practical and consistent with the safe and efficient administration of the schools.

Adopted: October 1998; Revised November 11, 2008

LEGAL REFS: C.R.S. 22-44-115.5 (2)

CROSS REFS: [DBK\\*](#): Fiscal Emergencies; [IC/ICA](#), School Year/School Calendar

**GCOA: Evaluation of Instructional Staff (1 of 3)**

The Board recognizes that the teaching process is extremely complex and that appraisal of the process is a difficult function. It also recognizes that sound appraisal of teaching performance is critical in achieving the educational goals of the school system.

The Board expects its supervisory and administrative staffs to exert every effort to help and encourage staff members to develop their teaching personalities and instructional abilities to an optimum degree.

In keeping with state law, the performance evaluation system shall serve as a basis for the improvement of instruction, enhance the implementation of curricular programs, and measure professional growth and development and level of performance of certificated personnel. The evaluation system also shall serve as the measurement of satisfactory performance and documentation for dismissal for unsatisfactory performance.

The Board shall consult with district administrators, teachers, parents and the advisory school district personnel performance evaluation council in developing the evaluation system. A process shall be developed to conduct an on-going review of the evaluation system.

The basic requirements of the evaluation system shall be:

All full-time and part-time teachers shall be regularly evaluated by administrators/supervisors who have an administrative certificate or principal or administrator license and education and training in evaluation skills which will enable them to make fair, professional and credible evaluations of the personnel whom they are responsible for evaluating.

Evaluations shall be conducted in a fair and friendly manner and shall be based on written criteria which pertain to good teaching and the staff member's particular position.

Standards for satisfactory performance of certificated personnel and criteria which can be used to determine whether performance meets such standards shall be developed. One of the standards for measuring teacher performance shall be directly related to classroom instruction and shall include multiple measures of student performance. The district personnel performance evaluation council shall be an active participant in the development of standards of performance.

All evaluation standards and criteria shall be given in writing to all certificated personnel and shall be communicated and discussed by the person being evaluated and the evaluator prior to and during the course of the evaluation.

The system shall identify the various methods which will be used for information collection during the evaluation process such as direct and informal observation and peer, parent or student input obtained from standardized surveys. All data on which an

**GCOA: Evaluation of Instructional Staff (2 of 3)**

evaluation judgment is based will be documented to the extent possible and available for the teacher's review.

The evaluation system shall specify the frequency and duration of the evaluation process which shall be on a regular basis to ensure the collection of a sufficient amount of data from which reliable conclusions and findings may be drawn. Probationary teachers shall receive at least two documented observations and one evaluation that results in a written report every year. Non-probationary teachers shall receive at least one documented observation each year and at least one evaluation that results in a written report every three years.

All written evaluation reports shall be specific as to performance strengths and weaknesses, specifically identify when a direct observation was made, identify data sources, and contain a written improvement plan. The written improvement plan shall be specific as to what improvements if any are needed in performance.

The staff member concerned shall have an opportunity to review the document with the supervisor who makes the evaluation, and both shall sign it. The evaluation document shall be reviewed by a supervisor of the evaluator whose signature also shall appear on it.

If the evaluatee disagrees with any of the conclusions or recommendations made in the evaluation report, he or she may attach any written explanations or other relevant documentation.

The system shall contain a process to be followed when a teacher's performance is deemed unsatisfactory. In accordance with state law, this process shall provide for a notice of deficiencies, a remediation plan and an opportunity to correct the deficiencies.

The school district shall conduct all evaluations so as to observe the legal and constitutional rights of certificated personnel. No informality in any evaluation or in the manner of making or recording any evaluation shall invalidate the evaluation. No minor deviation in the evaluation procedures shall invalidate the process or the evaluation report.

Nothing in this policy shall be construed to imply in any manner the establishment of any property rights or expectancy or entitlement to continued employment not explicitly established by statute, Board policy or contract. Neither shall this policy and/or the evaluation system be deemed or construed to establish any conditions prerequisite relative to renewal of contracts, transfer, assignment, dismissal or other employment decisions relating to school personnel.

**GCOA: Evaluation of Instructional Staff (pg 3 of 3)**

Unless an evaluator acts in bad faith or maliciously with respect to the application of a procedure associated with the evaluation process, any misapplication of a procedure, failure to apply a

procedure or adhere to a prescribed timeline shall not be an impediment to or prevent the Board from modifying an employee's contract status or assignment under the terms of the employment

contract and state law. The content of the evaluation, the ratings given and any improvement or remediation plan shall not be grievable under the district's formal grievance process.

All employment decisions remain within the sole and continuing discretion of the Board of Education, subject only to the conditions and limitations prescribed by Colorado law.

Adopted: October 1998

LEGAL REFS: C.R.S. 22-9-101 et seq. (Certificated Personnel Performance Evaluation Act); C.R.S. 22-63-301 (grounds for dismissal); C.R.S. 22-63-302 (8) (burden of proof)

CROSS REFS: BDFA\*, District Personnel Performance Evaluation Council; CFBA\*, Evaluation of Evaluators; GCQF, Discipline, Suspension and Dismissal of Professional Staff; IK, Academic Achievement

**GCOA-R: Evaluation of Instructional Staff – Regulation (pg 1 of 4)**

Evaluations will be conducted in accordance with state law and Board policy to improve instruction, enhance the implementation of programs in the curriculum, measure the professional growth and development of personnel and level of performance of each certificated employee. Evaluations also will serve as the measurement of satisfactory performance for teachers and documentation for dismissal for unsatisfactory performance.

Even though the evaluation process is designed to encourage and assist certificated employees to perform at a level consistent with the district's standards, the evaluator or the superintendent may recommend to the Board of Education that changes be considered in contract status or assignment.

The procedures necessary to administer and implement the district's evaluation policy are as follows:

Initial requirements:

All certificated personnel will be evaluated, including part-time teachers. An organization chart or comparable document will be prepared to identify the evaluator by title or position for each certificated employee. The chart will indicate which position(s) each evaluator will evaluate and which administrator is responsible for evaluating the evaluator. In most situations, evaluations will be made by the principal or administrator who directly supervises the certificated employee to be evaluated.

A job description will be developed for each certificated employee which sets forth expectations from the school district for the position. Similar job descriptions will be used for all employees with similar staff positions.

Written standards for satisfactory performance will be developed as well as criteria to be used to determine whether a teacher's performance meets district standards. One of the standards for measuring teacher performance shall be directly related to classroom instruction and shall include multiple measures of student performance. The district personnel performance evaluation council will actively participate in the development of the standards.

Other criteria will be developed for evaluation of each position prior to the evaluation. The criteria will relate to the particular position as set forth in the individual's job description and any outcomes which are expected from the position.

Information will be made available to each evaluatee about the evaluation system, the evaluation policy and procedures and the responsibilities of the evaluator and evaluatee. In addition, all evaluation standards and criteria shall be given in writing to all certificated personnel and shall be communicated and discussed by the person being evaluated and the evaluator prior to and during the course of the evaluation.

**GCOA-R: Evaluation of Instructional Staff – Regulation (pg 2 of 4)**

Information collection:

The evaluator will directly observe the evaluatee as well as compile other data in accordance with the district's evaluation system. Peer, parent or student input may be obtained from standardized surveys.

No evaluation information will be gathered by electronic devices without the consent of the evaluatee.

The evaluator will identify and document to the extent possible all relevant sources of data used as the basis for any evaluation judgments.

Frequency and duration:

Probationary teachers shall receive at least two documented observations and one evaluation that results in a written report every year. Non-probationary teachers shall receive at least one documented observation each year and at least one evaluation that results in a written report every three years.

Variations will be permitted in this evaluation schedule, whether requested by the evaluator or evaluatee, when the evaluatee is notified by the evaluator that an additional evaluation report is necessary for reasons consistent with one or more purposes of the evaluation system.

A report shall not be written until the required documented observations and data collection are completed. Minor adjustments and variations in the process will be allowed in order to ensure that the evaluation process is thorough and that sufficient data is collected from which reliable findings and conclusions may be drawn.

All evaluations will be completed before the 2nd Tuesday in May of each school year.

Documentation:

The evaluator will prepare a written evaluation report at the conclusion of the evaluation process which will include the following:

an improvement plan which is specific as to what improvements, if any, are needed in the performance of the teacher and which clearly sets forth recommendations for improvement including recommendations for additional education and training during the teacher's recertification process.

specific information about the strengths and weaknesses in the performance of the evaluatee;

documentation identifying when a direct observation was made;

identification of all data sources.



**GCOA-R: Evaluation of Instructional Staff – Regulation (pg 3 of 4)**

The evaluation report will be discussed with the evaluatee. Both the evaluator and the evaluatee will sign the report, and each will receive a copy. The signature of any person on the report will not be construed to indicate agreement with the information contained therein. If the evaluatee disagrees with any of the conclusions or recommendations made in the evaluation report, he or she may attach any written explanation or other relevant documentation.

Each report will be reviewed and signed by a supervisor of the evaluator.

The evaluator will maintain a cumulative file of all pertinent data relating to each teacher's evaluation, including the evaluation report. This file will be available for the teacher's review and will include any written comments or documents submitted by the teacher.

Unsatisfactory performance:

A teacher whose evaluation indicates performance is unsatisfactory will be given a notice of deficiencies.

A remediation plan to correct deficiencies will be developed by the evaluator and the teacher.

The teacher will be given a reasonable period of time to correct the deficiencies and a statement of resources and assistance available to improve performance.

Further evaluations of a teacher on a remediation plan will occur on a different cycle than the annual evaluation, if necessary.

If the teacher's next evaluation shows the teacher is performing satisfactorily, no further action will be taken.

If the teacher's next evaluation indicates the teacher still is not performing satisfactorily, the evaluator either will make additional recommendations for improvement or take any necessary steps to recommend dismissal.

**GCOA-R: Evaluation of Instructional Staff – Regulation (pg 4 of 4)**

Appeal:

The conclusions of the evaluator will not be subject to further review except as otherwise provided in these procedures.

The evaluatee may appeal the application of the evaluation procedures by submitting a request for review to the supervisor of the evaluator to determine if the procedures were followed during the evaluation.

Some flexibility is necessary for proper administration of the evaluation system. Minor deviations or variances in the procedures will be allowed as long as the variances do not result in the significant hardship for or malicious treatment of the evaluatee.

Informal evaluations or observations may be made whenever appropriate.

**GCOC: Evaluation of Administrative Staff (pg 1 of 3)**

The Board shall institute and maintain a comprehensive program for the evaluation of all administrative personnel.

The purpose of administrator evaluations shall be to assist administrators in developing and strengthening their professional abilities, improve the instructional program, enhance the implementation of curricular programs, and measure professional growth and development and level of performance of administrators. The evaluation system also shall serve as the measurement of satisfactory performance and documentation for dismissal for unsatisfactory performance.

The evaluation process shall provide for:

cooperative planning of job performance objectives by administrator and evaluator;

evaluation in relation to job description and objective accomplishment;

means for self-evaluation.

The Board shall consult with district administrators, parents and the advisory school district personnel performance evaluation council when developing the process for evaluation of administrators.

All certificated or licensed administrators or principals that administer, direct or supervise the instructional program ("instructional administrators") shall be evaluated consistent with state law.

The basic requirements of the evaluation system as it pertains to instructional administrators shall be:

All instructional administrators shall be regularly evaluated by properly certified supervisors who have an administrative certificate or a principal or administrator license and education and training in evaluation skills which will enable them to make fair, professional and credible evaluations of the personnel whom they are responsible for evaluating.

Evaluations shall be conducted in a fair and friendly manner and shall be based on predetermined written criteria which pertain to the administrator's position.

Standards for satisfactory performance of administrators and criteria which can be used to determine whether performance meets such standards shall be developed. The district personnel performance evaluation council shall be an active participant in the development of standards of performance.

**GCOC: Evaluation of Administrative Staff (pg 2 of 3)**

All evaluation standards and criteria shall be given in writing to all instructional administrators and shall be communicated and discussed by the person being evaluated and the evaluator prior to and during the course of the evaluation.

The system shall identify the various methods which will be used for information collection during the evaluation process such as direct and informal observation and peer, parent or student input obtained from standardized surveys. All data on which an evaluation judgment is based will be documented to the extent possible and available for the administrator's review.

The evaluation system shall specify the frequency and duration of the evaluation process which shall be on a regular basis to ensure the collection of a sufficient amount of data from which reliable conclusions and findings may be drawn. In any event, instructional administrators shall receive at least one documented observation each year and at least one evaluation that results in a written report every three years.

All written evaluation reports shall be specific as to performance strengths and weaknesses, specifically identify when a direct observation was made, identify data sources, and contain a written improvement plan. The written improvement plan shall be specific as to what improvements if any are needed in performance.

The administrator concerned shall have an opportunity to review the document with the supervisor who makes the evaluation, and both shall sign it. The evaluation document shall be reviewed by a supervisor of the evaluator whose signature also shall appear on it. If the superintendent is the evaluator, the signature shall be that of the president of the Board of Education.

If the evaluatee disagrees with any of the conclusions or recommendations made in the evaluation report, he or she may attach any written explanation or other relevant documentation.

The system shall contain a process to be followed when an administrator's performance is deemed unsatisfactory. In accordance with state law, this process shall provide for a notice of deficiencies, a remediation plan and an opportunity to correct the deficiencies.

The school district shall conduct all evaluations so as to observe the legal and constitutional rights of certificated personnel. No informality in any evaluation or in the manner of making or recording any evaluation shall invalidate the evaluation. No minor deviation in the evaluation procedures shall invalidate the process or the report.

The superintendent shall make regular reports to the Board concerning the outcome of administrator evaluations.

**GCOC: Evaluation of Administrative Staff (pg 3 of 3)**

Nothing in this policy shall be construed to imply in any manner the establishment of any property rights or expectancy or entitlement to continued employment not explicitly established by statute, Board policy or contract. Neither shall this policy and/or the evaluation system be

deemed or construed to establish any conditions prerequisite relative to renewal of contracts, transfer, assignment, dismissal or other employment decisions relating to school personnel.

Unless an evaluator acts in bath faith or maliciously with respect to the application of a procedure associated with the evaluation process, any misapplication of a procedure, failure to apply a procedure or adhere to a prescribed timeline shall not be an impediment to or prevent the Board from modifying an employee's contract status or assignment under the terms of the employment contract and state law. The content of the evaluation, the ratings given and any improvement or remediation plan shall not be grievable under the district's formal grievance process.

All employment decisions remain within the sole and continuing discretion of the Board of Education, subject only to the conditions and limitations prescribed by Colorado law.

Adopted: October 1998

LEGAL REFS: C.R.S. 22-9-101 et seq. (Certificated Personnel Performance Evaluation Act); C.R.S. 22-32-126 (employment and authority of principals); C.R.S. 22-63-301 (grounds for dismissal); C.R.S. 22-63-302 (8) (burden of proof)

CROSS REFS: BDFA\*, District Personnel Performance Evaluation Council; CFBA\*, Evaluation of Evaluators; GCQF, Discipline, Suspension and Dismissal of Professional Staff

**GCOC-R: Evaluation of Administrative Staff – Regulation (pg 1 of 4)**

Evaluations will be conducted in accordance with state law and Board policy to assist certificated/licensed administrators in developing and strengthening their professional abilities, improve instruction, enhance the implementation of programs in the curriculum, and measure the professional growth and development and level of performance of administrators. Evaluations also will serve as the measurement of satisfactory performance for administrators and documentation for dismissal for unsatisfactory performance.

Even though the evaluation process is designed to encourage and assist administrators to perform at a level consistent with the district's standards, the evaluator or the superintendent may recommend to the Board of Education that changes be considered in contract status or assignment.

The procedures necessary to administer and implement the district's evaluation policy are as follows:

Initial requirements:

All certificated administrators will be evaluated. An organization chart or comparable document will be prepared to identify the evaluator by title or position for each certificated employee. The chart will indicate which position(s) each evaluator will evaluate and which supervisor is responsible for evaluating the evaluator.

A job description will be developed for each administrative position. The administrator annually will establish job performance objectives in cooperation with the evaluator.

Written standards for satisfactory performance will be developed as well as criteria to be used to determine whether an administrator's performance meets district standards. The district personnel performance evaluation council will actively participate in the development of the standards.

Other criteria will be developed for evaluation of each position prior to the evaluation. The criteria will relate to the particular position as set forth in the individual's job description and any outcomes which are expected from the position.

Information will be made available to each administrator about the evaluation system, the evaluation policy and procedures and the responsibilities of the evaluator and evaluatee. In addition, all evaluation standards and criteria shall be given in writing to all instructional administrators and shall be communicated and discussed by the person being evaluated and the evaluator prior to and during the course of the evaluation.

**GCOC-R: Evaluation of Administrative Staff – Regulation (pg 2 of 3)**

Information collection:

The evaluator will use the most appropriate means of data collection available to assess the administrator's performance. The data collected primarily will be based on direct observation when appropriate and/or first-hand knowledge of the administrator's performance. Peer, parent or student input may be obtained from standardized surveys.

No evaluation information will be gathered by electronic devices without the consent of the evaluatee.

The evaluator will identify and document to the extent possible all relevant sources of data used as the basis for any evaluation judgments. The administrator's self-evaluation also will be considered as a source of information during the evaluation process.

Frequency and duration:

Administrators in their first two years of service in the district will be evaluated twice during each year. All other administrators will be evaluated at least once each year. Each evaluation will result in a written report.

Variations will be permitted in this evaluation schedule, whether requested by the evaluator or evaluatee, when the evaluatee is notified by the evaluator that an additional evaluation report is necessary for reasons consistent with one or more purposes of the evaluation system.

A report shall not be written until the required documented observations and data collection are completed. Minor adjustments and variations in the process will be allowed in order to ensure that the evaluation process is thorough and that sufficient data is collected from which reliable findings and conclusions may be drawn.

All evaluations will be completed before the 2nd Tuesday in May of each school year.

Documentation:

The evaluator will prepare a written evaluation report at the conclusion of the evaluation process which will include the following:

an improvement plan which is specific as to what improvements, if any, are needed in the performance of the administrator and which clearly sets forth recommendations for improvement including recommendations for additional education and training during the administrator's recertification process.

**GCOC-R: Evaluation of Administrative Staff – Regulation (pg 3 of 4)**

specific information about the strengths and weaknesses in the performance of the administrator;  
documentation identifying when a direct observation was made;  
identification of all data sources.

The evaluation report will be discussed with the evaluatee. Both the evaluator and the evaluatee will sign the report, and each will receive a copy. The signature of any person on the report will not be construed to indicate agreement with the information contained therein. If the evaluatee disagrees with any of the conclusions or recommendations made in the evaluation report, he or she may attach any written explanation or other relevant documentation.

Each report will be reviewed and signed by a supervisor of the evaluator.

The evaluator will maintain a cumulative file of all pertinent data relating to each administrator's evaluation, including the evaluation report. This file will be available for the administrator's review and will include any written comments or documents submitted by the administrator.

Unsatisfactory performance:

An administrator whose evaluation indicates performance is unsatisfactory will be given a notice of deficiencies.

A remediation plan to correct deficiencies will be developed by the evaluator and the administrator.

The administrator will be given a reasonable period of time to correct the deficiencies and a statement of resources and assistance available to improve performance.

Further evaluations of a administrator on a remediation plan will occur on a different cycle than the annual evaluation, if necessary.

If the administrator's next evaluation shows the administrator is performing satisfactorily, no further action will be taken.

If the administrator's next evaluation indicates the teacher still is not performing satisfactorily, the evaluator either will make additional recommendations for improvement or take any necessary steps to recommend dismissal.

Appeal:

The conclusions of the evaluator will not be subject to further review except as otherwise provided in these procedures.



**GCOC-R: Evaluation of Administrative Staff – Regulation (pg 4 of 4)**

The evaluatee may appeal the application of the evaluation procedures by submitting a request for review to the supervisor of the evaluator to determine if the procedures were followed during the evaluation.

Some flexibility is necessary for proper administration of the evaluation system. Minor deviations or variances in the procedures will be allowed as long as the variances do not result in the significant hardship for or malicious treatment of the evaluatee.

**GCOD\*: Evaluation of Evaluators**

Provision shall be made for periodic evaluation of evaluators of professional staff to ensure that the total process is being carried out in a fair, professional and credible manner.

All persons who evaluate professional staff members shall possess an administrative certificate or a principal or administrator license issued by the Colorado Department of Education and shall have received education and training in evaluation skills approved by the department. Issuance or renewal of certificate or license requires that the applicant has received such approved education and training in evaluation skills.

Evaluation instruments for all professional staff administrators shall include a section dealing with their evaluation skills and responsibilities. The superintendent or designee shall review all evaluations done by professional staff administrators and when necessary shall discuss them with procedure and form.

The superintendent's evaluation skills shall be part of the evaluation by the Board of Education.

As part of its ongoing review, the district personnel performance evaluation council shall seek evidence that evaluators are implementing the process in a fair, professional, and credible manner and shall report its findings and recommendations to the Board of Education.

Adopted: October 1998

LEGAL REF: C.R.S. 22-9-106 (3.3)

CROSS REF: BDFA\*, District Personnel Performance Evaluation Council

**GCQA: Instructional Staff Reduction in Force (pg 1 of 2)**

Definitions:

"Cancellation of employment" means the cessation of employment of a teacher when there is justifiable reduction in the number of teaching positions in the school district for reasons of fiscal emergency or program change.

"Teacher" means any person who is regularly certified or licensed by the teacher certifying authority for the state of Colorado and who is employed full-time to instruct, direct or supervise the instructional program, except those persons holding letters of authorization.

"Fiscal exigency" means any significant decline in the Board of Education's ability to fund the operation of the district.

"Program change" means any elimination, curtailment or reorganization of curriculum, program or school operation, or a reorganization of curriculum, program or operation, or a reorganization or consolidation of two or more individual schools. A program change need not be caused by fiscal exigency.

"Day" means every day including Saturdays, Sundays, and teacher work days, but it does not include official school holidays such as Thanksgiving and Christmas.

General grounds for cancellation of employment:

Cancellation of employment may take place when the Board of Education decides that a fiscal exigency exists or a program change is to be made which requires cancellation of one or more teaching positions. Such a decision may be made and any resulting termination may be effected only in accordance with this policy and the accompanying procedures.

Board of Education's preliminary determination and statement:

If the Board decides that cancellation of employment of one or more teachers be required, it shall prepare a statement that identifies with reasonable particularity the reasons for the decision. This statement shall be transmitted to the superintendent of schools and school district faculty. The Board shall establish the actual number of professional staff to be reduced consistent with the Board's authority to establish educational programs within the district.

Superintendent's action:

Within twenty (20) days after receiving the statement from the Board, the superintendent shall submit to the Board recommendations for canceling the employment of particular teachers. In making this recommendation, the superintendent shall not be limited to considering only teachers in the areas or programs designated by the Board in its initial statements. The superintendent

**GCQA: Instructional Staff Reduction in Force (pg 2 of 2)**

shall, insofar as possible, meet the reduction in force by normal attrition such as layoffs, retirements, leaves of absence or transfer of assignments.

When cancellation of a teaching position occurs within any particular endorsement area, the contracts of first-year probationary teachers who are occupying such positions shall be canceled first.

If further reductions are necessary cancellation of contracts of second and third year probationary teachers and non-probationary teachers then shall be considered as a group. In accordance with state law, this provision shall not create any express or implied property right or contract right for second- and third-year probationary teachers.

The superintendent may consider the following factors in recommending a teacher for cancellation of employment:

the needs of the district;

professional experience including experience as an administrator;

education;

length of service;

merit; and

affirmative action considerations.

Adopted: October 1998

LEGAL REFS: C.R.S. 22-60-105 (*letters of authorization*); C.R.S. 22-60.5-403; C.R.S. 22-63-202 (3)

**GCQA-R: Instructional Staff Reduction in Force – Regulation (pg 1 of 2)**

The following procedures will be followed in effecting a reduction in the professional staff work force:

Notice to individual teacher:

Non-probationary teachers whose contracts are recommended by the superintendent to be canceled will be given notice in writing. The notice will include a statement of the conditions requiring such cancellation, a general description of the procedures followed in making the decision and a copy of the accompanying policy and this regulation. Notice will be served upon the teacher personally or by certified or registered mail. The teacher's address as it appears on the school district's record will be deemed to be the correct address. It will be the teacher's responsibility to see to it that the school has his/her current address on file.

Review of individual cancellations:

Within 10 days after receiving a notice of termination, a non-probationary teacher may request a review of the action by the Board of Education. The request must be made in writing, addressed to the president of the Board. The request for review must specify the grounds on which the teacher relies and a short statement of facts the teacher believes support the contention. When appropriate, more than one case may be heard at the same time.

Review may be held to determine the following:

Was there a rational basis to determine that a fiscal exigency or program change was necessary or appropriate? or,

Was the cancellation procedure arbitrary or capricious? or,

Was the decision to cancel the employment of the teacher arbitrary or capricious?

The Board will consider the request and will schedule a hearing to be held within fourteen (14) days after the request is received. The teacher will be given at least seven (7) days' notice of the hearing. The Board of Education may delegate the responsibility for conducting a hearing to an impartial hearing officer selected by the Board.

Conduct of hearing:

The hearing will be conducted informally and, upon request of either party, in private. The teacher may be represented by counsel. The school district will have no obligation to pay for the service of counsel representing the teacher. A recorded transcription of the proceedings will be maintained, and copies of the transcript will be made available at the expense of the party who makes the request.

The hearing will begin with the teacher's presentation, limited to those grounds specified in the request for a hearing and supported by testimonial and

**GCQA-R: Instructional Staff Reduction in Force – Regulation (pg 2 of 2)**

documentary evidence. The superintendent or counsel may then present testimonial and documentary proof in rebuttal of the teacher's contention or in general support of the decision to cancel. The Board or hearing officer may establish other procedural rules as appropriate.

After the superintendent or counsel completes the presentation, the Board will consider the matter in executive session, or, where there is a hearing officer, the hearing officer may take the matter under advisement. Written findings of fact and conclusions as to the issues raised will be forwarded to the teacher and to the secretary of the Board within thirty (30) days after the close of the hearing.

If the hearing was conducted by a hearing officer, the Board will be bound by the findings of fact of the hearing officer as long as there is support in the record for such findings. However, any conclusions drawn from those findings will not be binding upon the Board.

Procedure after hearing:

The Board will act on the findings and conclusions at its next regular meeting following receipt of the findings and conclusions.

If the Board determines that the teacher's contention has not been established, it will notify the teacher and the superintendent in writing. Such a determination finally confirms the decision to cancel.

If the Board determines that the teacher's contention has been established, it shall notify the teacher and the superintendent by written notice that states that corrective action will be taken.

Exclusive procedure:

This procedure is the only procedure that may be used in a reduction in force of teachers. Any existing procedure for reconsidering or examining an employee discharge, non-reappointment or grievance is not available for considering an issue that arises from a reduction in force. Similarly, no other personnel action other than reduction in force must be considered under this procedure.

**GCQC/GCQD: Resignation of Instructional Staff/Administrative Staff**

In accordance with state statutes, a teacher or certificated/licensed administrator may cancel a contract prior to the beginning of an academic year by giving written notice no later than thirty (30) days prior to the start of the academic year, during an academic year by giving at least thirty (30) days' written notice, or at any time by mutual agreement with the Board of Education.

A teacher or certificated/licensed administrator who fails to honor a contract, except in accordance with the statutes, shall be held responsible for the ordinary and necessary expenses incurred in securing a replacement, not to exceed 1/12th of his/her annual salary. In addition, the teacher's or administrator's certificate/license may be suspended.

A teacher or certificated/licensed administrator who resigns during the term of the contract shall be paid the prorated amount of the annual salary for each day the teacher has been on duty.

Mandatory reporting requirements:

If an employee resigns as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior, which is supported by a preponderance of evidence, the superintendent is delegated the responsibility for immediately notifying the Colorado Department of Education (CDE) and for providing any information requested by the department concerning the circumstances of the resignation. The district also shall notify the employee that information concerning the resignation is being forwarded to CDE unless such notice would conflict with the confidentiality requirements of the Child Protection Act.

The superintendent shall notify CDE whenever a licensed/certificated employee resigns for any of the following reasons:

The employee has been determined by a court to be mentally incompetent.

The individual is convicted, pleads *nolo contendere* or receives a deferred sentence for sexual offenses against a child as specifically set forth in the state board rules.

The individual pleads guilty or *nolo contendere* or is found guilty of a felony which renders the person unfit to be a licensed professional including but not limited to drug possession, felonies involving the use of firearms or deadly weapons, theft or fraud, child exploitation or pornography.

When the county department of social services or the local law enforcement agency reasonably believes that an incident of child abuse or neglect has occurred and the school employee is the suspected perpetrator and was acting in an official capacity as an employee of the district.

When the Board reasonably believes that an employee is guilty of unethical behavior or professional incompetence.

Adopted: October 1998; LEGAL REFS: C.R.S. 19-3-301 *et seq.* (*Child Protection Act of 1987*); C.R.S. 22-32-109.7; C.R.S. 22-63-202; 1 CCR 301-37, Rules 2202-R-15.05

**GCQE: Retirement of Professional Staff**

Employment decisions of the Board of Education are based on many factors. Therefore, the Board has no mandatory retirement age for district employees.

Employees are encouraged to make their own retirement decisions and to give written notice to the Board once a retirement date has been established.

Adopted: October 1998

LEGAL REFS: 29 U.S.C. §§ 621 et seq. (Age Discrimination in Employment Act); C.R.S. 24-51-101 et seq. (Public Employees' Retirement Association)

CROSS REF: GCQF, Discipline, Suspension, and Dismissal of Professional Staff



**GCQEA\*: Voluntary Early Retirement of Professional Staff Members (pg 1 of 3)**

The Board of Education has determined that it is financially advantageous to the school district and a significant benefit to school employees to offer a voluntary early retirement program.

Eligible employees who elect to participate in the voluntary program shall be awarded an early retirement bonus in accordance with the terms and conditions of this policy.

Eligibility requirements:

Administrators, supervisors, teachers, nurses and all other personnel required to have a license/certificate to be employed shall be eligible to participate in the early retirement program.

The employee must be fifty (50) years of age or older and actively employed by the district on a full-time basis at the time of electing early retirement.

The employee must have a minimum of twenty (20) years of full-time service in the district, the last ten (10) years of which to be uninterrupted service to the district. Leaves approved by the Board are not an interruption of service. However, time accrued as a result of an approved leave shall not be credited toward the 10-year minimum. Any employee with at least fifteen (15) continuous years of uninterrupted service to the district can elect early retirement with a loss of five percent for each year short of the minimum twenty (20) years based on the provisions below.

Any employee who terminates service with the district before reaching age fifty (50) cannot claim entitlement after reaching age fifty (50).

Early retirement bonus:

An employee who has a letter of resignation on file by May 1 and meets all the requirements for participation in the early retirement plan shall be entitled to a severance bonus. The district shall provide retiring teachers with unused sick leave reimbursement of one-half (½) of their unused sick leave days over the first forty-five (45) accumulated. Each additional sick leave day shall be paid at a rate of fifty percent (50%) of 1/150th of that final year's contract. This reference to retiring teachers shall also apply at time of untimely death of a teacher.

All severance bonus installments, of equal amounts, will be paid October 25 following the date of retirement. No proration of the severance bonus shall be allowed for employees who retire during a school year.

**GCQEA\*: Voluntary Early Retirement of Professional Staff Members (pg 2 of 3)**

General conditions:

Participation in the early retirement plan shall become effective upon approval by the Board and acceptance of the employee's resignation. The superintendent or designee shall review all requests for participation in the plan.

Notice of intent to retire and participate in the early retirement incentive plan must be filed in writing with the superintendent at least 45 calendar days prior to the last day of school in order to qualify. In unusual circumstances, the superintendent or designee may waive the 45-day requirement.

Approved requests for early retirement shall be irreversible as of the effective date of the employee's resignation. An employee participating in the early retirement program waives all potential continued employment by the district except as may be provided by the Board.

This policy shall not be applicable to any employee terminated for cause.

No payment of benefits shall be made by the district in the event of the death of an active employee prior to the actual retirement date.

Any changes in the benefits provided by this plan made by the Board shall not apply retroactively to individuals already receiving early retirement benefits unless specifically provided for in the revision of the plan made by the Board.

Any employee electing the early retirement plan may continue participation in the district's group health insurance plan. Cost of the entire premium shall be paid by the employee at the current group health insurance rate. All premium payments must be made in advance. Failure to prepay premium payments on the due date shall be cause for the health insurance plan to be irrevocably canceled.

Any change in employee benefits as may be deemed appropriate by the Board shall not apply to any employee currently receiving early retirement benefits.

In the event of a regular employee's death prior to having received full payment, the employee's designated beneficiary will receive 100 percent (100%) of the remaining benefit. Any remaining payments shall be made in accordance with the plan. If no beneficiary has been designated, any remaining payments shall be canceled with no further obligation on the part of the district.

Early retirement benefits shall be based upon salary listed or computed from the salary schedule or contracted annual rate and shall not include pay for extra performance, overtime, activities, special assignment pay, stipend payment, etc., or any other employee benefits.

Years of service shall be calculated as school years during which the employee was employed on a full-time, continuous basis.

**GCQEA\*: Voluntary Early Retirement of Professional Staff Members (pg 3 of 3)**

The employee's age used to determine the age eligibility requirement shall be the actual age on the date of retirement.

The decision of the Board shall be final in interpreting this policy. The Board reserves the right to review the feasibility and cost effectiveness of this policy on an annual basis. Any change in the early retirement table shall be made by December 1 if it is to be effective for the next calendar year.

Adopted: October 1998

LEGAL REFS: 29 U.S.C. §§ 623 (f)(2) (Age Discrimination in Employment Act); 29 C.F.R. 1625.9 (prohibition of involuntary retirement)

**GCQF: Discipline, Suspension and Dismissal of Professional Staff (and Contract Nonrenewal) (pg 1 of 2)**

The Board of Education shall follow procedures established by law for the suspension and dismissal of teacher.

Full-time probationary teachers, currently employed by the Board, shall be re-employed for the succeeding academic year at the appropriate salary unless the Board does not renew the contract of such teacher pursuant to law.

This provision also shall apply to teachers employed on a part-time continuous basis by the district and by the South Central Board of Cooperative Educational Services.

The superintendent shall be authorized for good cause to suspend with pay or place on administrative leave a professional staff member as a disciplinary measure and/or pending an internal investigation when a professional staff member is accused of serious misconduct. The superintendent shall report all such suspensions to the Board at its next meeting and shall make a recommendation if further disciplinary action is warranted.

A teacher shall not be subject to any disciplinary proceeding including dismissal for actions which were in good faith and in compliance with the district's discipline code, nor shall a contract non-renewal be based on such lawful actions.

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 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.

**Mandatory reporting requirements:**

If an employee is dismissed as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior, which is supported by a preponderance of evidence, the superintendent is delegated the responsibility for immediately notifying the Colorado Department of Education (CDE) and for providing any information requested by the department concerning the circumstances of the dismissal. The district also shall notify the employee that information concerning the dismissal is being forwarded to CDE unless such notice would conflict with the confidentiality requirements of the Child Protection Act.

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

**GCQF: Discipline, Suspension and Dismissal of Professional Staff (and Contract Nonrenewal) (pg 2 of 2)**

The superintendent shall notify CDE whenever a licensed/certificated employee is dismissed for any of the following reasons:

the employee has been determined by a court to be mentally incompetent;

the individual has been convicted of, pleads *nolo contendere* to or receives a deferred sentence for sexual offenses against a child as specifically set forth in the state board rules;

the individual pleads guilty or *nolo contendere* to or is found guilty of a felony which renders the person unfit to be a licensed professional including but not limited to drug possession, felonies involving the use of firearms or deadly weapons, theft or fraud, child exploitation or pornography;

when the county department of social services or the local law enforcement agency reasonably believes that an incident of child abuse or neglect has occurred and the school employee is the suspected perpetrator and was acting in an official capacity as an employee of the district;

when the Board reasonably believes that an employee is guilty of unethical behavior or professional incompetence.

Adopted: October 1998

Revised: July 1999; September 1999; April 2003; June 2003

LEGAL REFS: 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; C.R.S. 22-32-109.1 (9) (*immunity provisions in safe schools law*); C.R.S. 22-63-103; C.R.S. 22-63-202 (3); C.R.S. 22-63-203; C.R.S. 22-63-301 *et seq.*; 1 CCR 301-1, Rules 2202-R-15.05; 15 U.S.C. §§ 1681 *et seq.* (*Fair Credit Reporting Act*)

CROSS REFS: GBG, Liability of School Personnel/Staff Protection

**GCS: Professional Research and Publishing (pg 1 of 2)**

The Board recognizes the value of educational research conducted by staff members. However, all research studies carried out within the school system using district or school data of any kind or staff or students as subjects must be approved in advance by the superintendent or designee. Only those studies which have value to the school district shall be approved.

The superintendent or designee shall keep a file on topics needing study that shall be shared with staff members at their request.

When human subjects are involved in research, there shall be adequate protection of their rights and welfare. The individual shall be subjected to no serious risk. Parents of students who are subjects of research or adults if they are the subjects shall be provided an explanation of procedures and their purposes, a description of any possible risks and any benefits to be reasonably expected, an offer to respond to inquiries on procedures, and instruction on the right to refuse to participate or to discontinue participation at any time without prejudice.

Federally-funded research or experimentation programs or projects:

No student, as part of any applicable federal program, shall be required without prior written consent to submit to a survey, analysis or evaluation that reveals information concerning:

political affiliations;

mental and psychological problems potentially embarrassing to the student or the student's family;

sex behavior and attitudes;

illegal, anti-social, self-incriminating and demeaning behavior;

critical appraisals of other individuals with whom respondents have close family relationships;

legally-recognized privileged and analogous relationships such as those of lawyers, physicians and ministers;

income other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

Participation in such research or experimentation programs shall require the prior written consent of the parent/guardian or emancipated minor.

All instructional and supplementary materials used in connection with any research or experimentation program or project shall be available for review by the parents/guardians of students involved in the project.

Adopted: October 1998; LEGAL REFS: 20 U.S.C. §§ 1232h; CROSS REFS: JLDAC, Screening/Testing of Students; LC, Relations with Education Research Agencies

**GD: Support/Classified Staff**

Definitions:

1. A full-time classified employee is one who works at least a thirty-six (36) hour, four (4) -day week.
2. A part-time classified employee is one who works less than eight (8) hours but at least four (4) or more hours per day on a regular basis.
3. A limited part-time classified employee is one who works less than four (4) hours per day in a regular position.
4. A short-term classified employee is one who is employed to perform a service for the district for not less than one (1) month nor longer than 195 working days, including holidays, sick leave, vacation and other leaves of absence, upon the completion of which the service will not be extended or needed on a continuing basis, or who performs seasonal or emergency work.
5. An hourly classified employee is one who is employed for less than one (1) calendar month, a full-time day student employed part-time, a day-to-day substitute, or a noon supervisor.
6. A substitute classified employee is one who takes the place of an absent employee for less than thirty (30) calendar days. Effective the first day following the first thirty (30) days of a single assignment, a substitute employee shall be classified as a long-term substitute.
7. 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 Board 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.

Adopted: October 1998

Revised: June 2003; March 2007

**GDA: Support Staff Positions**

All support staff positions in the school system shall be established initially by the Board.

All paraprofessionals who provide instructional support for students in Title I School-wide Programs and Targeted Assistance Programs shall meet the qualifications set forth in federal law and regulations.

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 Board 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.

In each case, the Board shall approve a statement of job requirements as presented by the superintendent. This shall be in the form of a job description setting forth the qualifications for the job, a detailed list of performance responsibilities and any required physical capabilities.

Only the Board may abolish a position that it has created.

Adopted: October 1998

Revised: April 2000, April 2003

LEGAL REFS: C.R.S. 22-32-109 (1)(f); C.R.S. 22-32-110 (1)(h), (ee); 20 U.S.C. §§1119(c) (*No Child Left Behind Act of 2001*); 34 C.F.R. 200.58, 200.59 (*federal regulations regarding paraprofessional qualifications*)

CROSS REF: GDQD, Discipline, Suspension and Dismissal of Support Staff; GDE/GDF, Support Staff Hiring/Recruiting



**GDA\***

GDA\*: Title I Paraprofessionals (pg 1 of 2)

A Title I paraprofessional is an individual who provides instructional support for students in a Title I School-Wide or Targeted Assistance Program.

Title I paraprofessionals may perform the following instructional support duties:

one-on-one tutoring for eligible students if the tutoring is scheduled at a time when the student would not ordinarily be receiving instruction from the regular teacher;

assist in classroom management;

conduct parent involvement activities;

assist in computer instruction;

provide instructional support in a library or media center;

act as a translator;

provide instructional support services under the direct supervision of qualified teachers.

Title I paraprofessionals may assume limited non-instructional duties, even if they benefit non-Title I students, in the same proportion to their total work time as non-Title I paraprofessionals.

Title I paraprofessionals do not include individuals who have only non-instructional duties such as providing technical support for computers, providing personal care services, or performing clerical duties.

Qualifications:

Title I paraprofessionals, regardless of hiring date, must have a secondary school diploma or its recognized equivalent (except for those who act as translators to enhance the participation of Limited English Proficient students or whose activities consist solely of conducting parent involvement activities).

Title I paraprofessionals hired after January 8, 2002, must have completed at least two (2) years of study at an institution of higher education or obtained an associates or higher degree.

Notice to parents:

An annual written notice shall be provided to parents of students enrolled in a Title I School-wide or Targeted Assistance Program telling them they may request information about any paraprofessionals who provide instructional support for their child. The notice may be combined with a notice regarding Title I teacher qualifications.

GDA\*: Title I Paraprofessionals (pg 2 of 2)

Adopted: April 2003

LEGAL REFS: C.R.S. 14-14-111.5 (Child Support Enforcement procedures); 22-32-109 (1)(f) (Board duty to employ personnel); C.R.S. 22-32-109.7 (duty to make inquiries prior to hiring); C.R.S. 22-32-109.8 (fingerprinting requirements for non-certified positions); C.R.S. 24-34-402(1) (discriminatory and unfair employment practices); 42 U.S.C. §§653(a) (Personal Responsibility and Work Opportunity Reconciliation Act); 15 U.S.C. et seq. (Fair Credit Reporting Act); 20 U.S.C. §§1119(c) (No Child Left Behind Act of 2001); 34 C.F.R. 200.58, 200.59 (federal regulations regarding paraprofessional qualifications)

CROSS REF: GDA, Support Staff Positions; GDE/GDF, Support Staff Hiring/Recruiting

GDA\*-E-1: Annual Notification to Parents Regarding Qualifications of Title I Teachers and Paraprofessionals (Exhibit)

(Also coded GCAA\*-E-1)

Annual Notification to Parents Regarding Qualifications of Title I Teachers and Paraprofessionals

TO: All parents of students enrolled in a Title I School wide or Targeted Assistance Program

FROM: [Principal]

DATE:

As a parent of a student who is in a Title I School wide or Targeted Assistance Program at Primero RE-2 School District, you have a right under federal law to request information about the professional qualifications of the teachers who instruct your child and the paraprofessionals, if any, who assist them. The No Child Left Behind Act of 2001 gives you the right to ask for the following information about each of your child's classroom teachers and their paraprofessional assistants, if any:

- Whether the State of Colorado has licensed or qualified the teacher for the grades and subjects he or she teaches.
- Whether the teacher is teaching under an emergency license (letter of authorization) or other provisional status by which state licensing criteria have been waived.
- The teacher's college major, whether the teacher has any advanced degrees and, if so, the subject of the degrees.
- Whether any instructional aides or paraprofessionals provide services to your child and, if they do, their qualifications.

If you would like to receive any of this information, please contact me, at (719)868-2715, or by writing to my office at Primero RE-2 School District, 20200 Hwy 12, Weston, Colorado, 81091.

#### GDBA: Support Staff Salary Schedules

The Board shall establish salary schedules for classifications of the support staff, including the secretarial staff, aides, custodians, maintenance workers, bus drivers, cafeteria workers and other categories as established by the Board.

Such schedules shall take into account the qualifications required, the responsibilities of the position, and the number of years the employee has been in service with the district.

If the Board declares a fiscal emergency during a budget year as allowed by state law, it may reduce salaries for all employees on a proportional basis or alter the work year of the employees. Any such reductions in salaries may be made notwithstanding any adopted salary schedule or policy.

Annual increments shall be dependent upon the employee's satisfactory performance in the position. Advancement from one step to another on the guide shall require the superintendents' recommendation and Board approval.

Adopted: October 1998

Revised: June 2003

LEGAL REFS: C.R.S. 22-32-109 (1)(f); C.R.S. 22-32-110 (5); C.R.S. 22-44-115.5 (2)

CROSS REF: DBK\*, Fiscal Emergencies

### GDBC: Support Staff Supplementary Pay/Overtime

The administration shall determine which school district employees are subject to the minimum wage and overtime requirements of federal law. These non-exempt employees shall be paid overtime at the rate of one-and-one-half (1 ½) times the regular rate of pay for hours worked in excess of 40 in any work week.

Alternatively, in lieu of overtime compensation non-exempt employees may receive compensatory time off at a rate not less than one-and-one-half (1 ½) hours for each hour of employment for which overtime compensation is required.

A determination as to whether overtime shall be compensated by overtime pay or by compensatory time shall be made prior to the performance of the work.

An employee shall be permitted to use compensatory time within a reasonable period of time after making a request to the supervisor. Such requests shall be granted if the use of the compensatory time does not unduly disrupt the operations of the school district.

A non-exempt employee may accrue no more than 240 hours of compensatory time in accordance with federal law unless the employee's supervisor gives advice that accrual of additional hours is allowed under the law.

All overtime work shall require the advance approval of the employee's principal and/or other immediate supervisor. An effort shall be made whenever possible not to schedule non-exempt employees for more than 40 hours per week.

All hours worked shall be accurately recorded in the manner required by the employee's supervisor.

Rates for supplementary services:

District employees who put in extra hours to supervise and/or serve community groups using school facilities shall be paid at the rate established by the Board for such contract services.

Beginning with the 2007-2008 school year and until the Board of Education revises this policy and pay schedules, all supplementary pay plans for support staff are frozen at 2006-2007 levels due to budgetary limitations. Bus driver wages are not included in this pay freeze.

Adopted: October 1998

Revised: October 2007

LEGAL REF: 29 U.S.C. §201 et seq. (Fair Labor Standards Act); CROSS REF: KF, Community Use of School Facilities

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**GDBD: Support Staff Fringe Benefits**

Support staff members shall receive the same fringe benefits as are provided for professional staff members.

Adopted: October 1998

CROSS REF: GCBD, Professional Staff Fringe Benefits

**GDD: Support Staff Vacation and Holidays**

Regular classified personnel working on a 12-month basis are entitled to paid vacation on the following basis:

All classified employees shall be entitled to ten (10) days of vacation each contract year.

All vacation time earned by all employees in the previous fiscal year shall be taken before December 31 of the following fiscal year unless a deferred vacation is approved by the superintendent.

Vacations shall be scheduled at the convenience of the district and as nearly as possible at the convenience of the employee. All summer vacation schedules shall be arranged for all employees and reviewed with the immediate supervisor prior to April 1.

All classified employees who resign or whose employment is terminated shall receive the paid vacation to which they are entitled as soon as possible.

New employees whose term of service is less than one (1) full year shall be entitled to paid vacation in the ratio that their length of service bears to a full year. Accumulated vacation shall be taken during the summer months at the convenience of the school district.

Adopted: October 1998

LEGAL REF: C.R.S. 22-1-112



#### GDE/GDF: Support Staff Recruiting/Hiring

The Board shall establish and budget for classified positions in the school district on the basis of need and the financial resources of the district.

The recruitment and selection of candidates for these positions shall be the responsibility of the superintendent or designee who shall confer with principals and other supervisory personnel in making a selection. Only qualified paraprofessionals, as defined by the No Child Left Behind Act of 2001, shall be hired to provide instructional support for students in Title I School-wide and Targeted Assistance Programs.

All vacancies shall be made known to the present staff. Anyone qualified for a position may submit an application.

Prior to hiring any person, in accordance with state law, the district shall conduct a background checks with the Colorado Department of Education and previous employers regarding the applicant's fitness for employment. In all cases where consumer reports are used in the hiring process, the district shall comply with the Fair Credit Reporting Act.

All applicants recommended for a position in the district shall submit a set of fingerprints and a notarized form with information about felony or misdemeanor convictions as required by law. (This requirement shall not apply to any student currently enrolled in the district applying for a job.) Applicants may be conditionally employed prior to receiving the fingerprint results.

The Board shall officially appoint all employees upon the superintendent's recommendation; however, temporary appointments may be made pending Board action.

Upon the hiring of any employee, child support information required by federal and state law will be forwarded by the district to the appropriate state agency.

Adopted: October 1998

Revised: September 1999; October 2000; July 2002; April 2003; June 2003

LEGAL REFS: C.R.S. 14-14-111.5 (Child Support Enforcement Procedures); C.R.S. 22-2-119 (duty to make inquiries prior to hiring); C.R.S. 22-32-109 (1)(f) (Board duty to employ personnel); C.R.S. 22-32-109.7 (duty to make inquiries before hiring); C.R.S. 22-32-109.8 (fingerprinting requirements for non-certified positions); C.R.S. 24-34-402 (1) (discriminatory and unfair employment practices); 42 U.S.C. 653 (a) (Personal Responsibility and Work Opportunity Reconciliation Act); 15 U.S.C. §§1681 et seq. (Fair Credit Reporting Act); 20 U.S.C. §§ 1119(c) (No Child Left Behind Act of 2001); 34 C.F.R. 200.58, 200.59 (federal regulations regarding paraprofessional qualifications)

CROSS REF: GBA, Open Hiring/Equal Employment Opportunity; GDA, Support Staff Positions; GDAA\*, Title I Paraprofessionals



GDE/GDF-R: Support Staff Recruiting/Hiring – Regulation (pg 1 of 3)

Background checks:

Prior to hiring, the personnel office will:

Check with the Colorado Department of Education to determine if there is any information on record indicating the applicant has been convicted of a felony or misdemeanor crime involving unlawful sexual behavior or unlawful behavior involving children or a misdemeanor crime that involves domestic violence.

The department's records will indicate if the applicant has been convicted of, pled *nolo contendere* to or received a deferred sentence for such crimes. The department also will provide any available information to indicate whether the applicant has been dismissed by or resigned from a school district as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior which was supported by a preponderance of evidence according to information provided to the department by a school district and confirmed by the department in accordance with state law.

Information of this type that is learned from a different source shall be reported by the district to the department.

The department will not disclose any information reported by a school district unless and until the department confirms that the allegation resulted in the person's name being placed on the state central registry of child protection.

Contact previous employers of the applicant to obtain information or recommendations relevant to the applicant's fitness for employment.

Credit reports:

The personnel office will not obtain a credit report on an applicant unless the office has first notified the individual in writing, in a document consisting solely of the notice, that the district would like to obtain a credit report and requesting the individual's written authorization to obtain the report. A credit report will only be requested when the applicant submits a written authorization.

The personnel office will not rely on a credit report in denying an application unless the office has first supplied the applicant with a disclosure that includes a copy of the credit report and a summary of the applicant's rights. If an application for employment is denied because of the credit report, the personnel office will give the applicant notice that the action has been taken, as well as:

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GDE/GDF-R: Support Staff Recruiting/Hiring – Regulation (pg 2 of 3)

the name, address and phone number of the credit bureau supplying the report;  
a statement that the credit bureau was not involved in the decision to deny the application; and  
a notice of the applicant's right to dispute the information in the report.

### Fingerprinting

All applicants selected for employment in a support staff position below must submit a complete set of fingerprints taken by a qualified law enforcement agency or an authorized district employee and a notarized, completed form (described in 2 below) as required by state law.

On the form the applicant must certify either the he or she has never been convicted of a felony or misdemeanor charge, not including any misdemeanor traffic offense, of that he or she has been convicted of a felony or misdemeanor charge (not including any misdemeanor traffic offenses). The certificate must specify the felony or misdemeanor, the date of conviction and the court entering judgment.

The school district will release the fingerprints to the Colorado Bureau of Investigation for the purpose of conducting a state and national fingerprint-based criminal history record check utilizing the records of the Colorado Bureau of Investigation and the Federal Bureau of Investigation.

Although an applicant may be conditionally employed prior to receiving the results, and he or she may be terminated if the results are inconsistent with the information provided on the form. The district will notify the district attorney of such inconsistent results for action or possible prosecution.

Each applicant shall be responsible for submitting the full, nonrefundable fee, as determined by the Colorado Bureau of Investigation, at the time the fingerprint card is submitted to CBI. All fees must be paid by certified check or money order and made payable to CBI. The certified check or money order must accompany the completed fingerprint card.

### Information report to state:

In accordance with federal and state law, the personnel office will report the name, address and social security number of every new employee to Child Support Enforcement, 1375 Sherman Street, Denver, Colorado, 80203.

This report, due within twenty (20) days of the date of the hire or on the first payroll after the twenty (20) days have expired, shall be submitted even if the employee quits or is terminated before the report is due. Upon termination, the employee's last known address and the fact of the termination shall be reported to the applicable court or agency.

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GDE/GDF-R: Support Staff Recruiting/Hiring – Regulation (pg 3 of 3)

Upon receiving a Notice of Wage assignment, the district shall remit the designated payment within seven (7) days of withholding the income according to instructions contained in the Notice. Child support withholding takes priority over other legal actions against the same wages.

Title I Paraprofessionals:

Prior to hiring paraprofessionals to work in Title I School-wide or Targeted Assistance Programs, the personnel office shall determine whether the applicant meets the qualifications required under federal law and regulations.

### GDG: Part-Time and Substitute Support Staff Employment

The Board of Education shall maintain an authorized list of personnel to be used for substitute or part-time employment. The Board authorizes the superintendent to notify and direct persons on the list to perform such service for the district as may be required on a temporary basis. The Board authorizes principals to notify and direct persons on the list to perform as substitutes on a temporary basis as needed.

The Board shall approve such action at the next regular meeting. Authorizations by the Board of Education to pay personnel performing services on a temporary basis shall constitute employment by the Board for services provided during the period of time covered by such payment.

Such payment shall not constitute any assurance or offer of continuing employment without specific Board action.

Prior to adding a person's name to the list, a background check shall be carried out in accordance with state law. Part-time and substitute personnel also shall submit a set of fingerprints and a notarized form with information about felony or misdemeanor convictions. Persons failing to provide this information shall not be added to the authorized list.

Every person placed on the authorized list shall be given a copy of this policy prior to performing services pursuant to this policy.

Adopted: October 1998

Revised: June 2003

LEGAL REFS: C.R.S. 22-32-109.7; C.R.S. 22-32-109.8

CROSS REFS: GDE/GDF, Support Staff Recruiting/Hiring

### GDO: Evaluation of Support Staff

The district has adopted an evaluation system designed to ensure the highest quality of services for the district's students, staff and community. This system shall assist supervisors and classified employees in understanding the evaluation process.

However, 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 Board policy. Nothing in this policy shall diminish the district's ability to employ support staff members only for such time as the district is in need of or desirous of the services of such employees. The district reserves the right to discipline or terminate the employment of a support staff employee without regard to the outcome of any past or pending evaluation or whether evaluations have been conducted.

The evaluation system is designed to:

improve or support teaching and learning;

enhance implementation of curricular programs;

measure professional growth, development, and performance;

promote and improve communications between the employee and supervisor;

provide insight and feedback regarding the employee's performance, including areas of strength, opportunities for growth, and need for improvement;

provide recognition for outstanding performance;

ensure that consistent procedures and uniform performance standards are used for the evaluation of all employees who hold the same position;

explain the responsibilities of the employee and employer in the evaluation process;

provide additional information that may relate to personnel decisions.

Adopted: October 1998

Revised: June 2003

GDO-R: Evaluation of Support Staff – Regulation (pg 1 of 3)

While adherence to the following elements is not required for purposes of making personnel decisions, the following shall be followed to the extent feasible.

Designation of evaluators:

Any classified employee performance evaluations will be completed by the immediate supervisor. Input may be secured from other administrators/supervisors as needed to complete the evaluation.

Schedule of evaluations:

During an employee's first year in the position he or she will be evaluated after two (2) months, after six (6) months, and during the last month of the employment year.

Other employees, beginning with the second year of employment, will be evaluated a minimum of one (1) time annually, according to the schedule developed by the immediate supervisor. Any employee who assumes a different position will be evaluated after six (6) months and one (1) year in the new job.

Employees whose performance has been rated as less than effective will be placed on probation and evaluated more frequently as indicated in the procedures which follow. Additional evaluations may also be completed at the discretion of the supervisor.

Evaluation criteria:

Each classified employee will be evaluated on the performance of the responsibilities listed in his or her position description. The effectiveness of the employee in carrying out duties is assessed on the basis of the performance factors included on the evaluation report. Performance indicators will be established in each of the performance areas to define the district's standard of expected performance.

Observation and ongoing performance feedback:

Over the course of the employment year, the supervisor will make observations of the employee's work. The supervisor will maintain a record and sufficient documentation of these observations in order to accurately rate the employee's work on each performance factor.

The supervisor will share observations of the employee's performance on an ongoing basis. When observations reveal performance concerns, the supervisor will communicate with the employee to identify needed improvements and provide assistance as required.



## GDO-R: Evaluation of Support Staff – Regulation (pg 2 of 3)

### Evaluation report:

The supervisor will complete the performance evaluation report for each classified staff member according to a specific time schedule. The supervisor will review records, secure additional input as necessary and fill out the appropriate evaluation forms.

### Evaluation conference:

The supervisor will schedule a conference with the employee to review the evaluation report. The conference will focus on a review of the employee's performance ratings, any relevant documentation, and recommendations.

At the conclusion of the conference, the supervisor and the employee will sign the evaluation report. The employee's signature on the form indicates only that the evaluation report has been reviewed and explained. Signing the form does not indicate that the employee agrees with the content of the evaluation.

The original of the signed report will be directed to the building administrator for review and inclusion in the employee's personnel file. The supervisor will retain a copy of the report and provide a copy to the employee.

The employee may respond to the report in writing within seven (7) working days of the conference. Two (2) copies of the written report are required; one copy is provided to the supervisor and the other copy to the building administrator.

### Improvement plan:

When an employee's overall performance has been rated "unsatisfactory" or "needs improvement," employment may be terminated or the employee may be placed on probation and re-evaluated on a schedule determined by the supervisor.

If a written improvement plan is developed and implemented, the supervisor will prepare the plan to include identification of the skill deficiency and/or behavior(s) needing improvement, steps to be taken in achieving improvements, and a timeline for review of progress and re-evaluation(s). Employee input into the plan may be secured at the discretion of the supervisor.

Prior to the implementation of the plan, it will be reviewed with the employee, and signed by the employee and the supervisor. The employee's signature indicates that the plan has been reviewed with and explained by the supervisor. Signing the plan does not indicate agreement with the content of the plan.

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## GDO-R: Evaluation of Support Staff – Regulation(pg 3 of 3)

A copy of the assigned plan will be forwarded to the building administrator. A copy will be retained by the supervisor and a copy will be provided to the employee. Re-evaluations which

document insufficient progress toward improvement will result in a recommendation for termination of employment.

At will status 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 Board policy. Nothing in this policy shall diminish the district's ability to employ support staff members only for such time as the district is in need of or desirous of the services of such employees. The district reserves the right to discipline or terminate the employment of a support staff employee without regard to the outcome of any past or pending evaluation or whether evaluations have been conducted.

**GDQB: Resignation of Support Staff**

Support staff employees are encouraged to give two weeks' written notice to the district prior to resigning employment.

If an employee resigns as a result of unlawful behavior involving a child, including unlawful sexual behavior, which is supported by a preponderance of evidence, the superintendent is delegated the responsibility for immediately notifying the Colorado Department of Education (CDE) and for providing any information requested by the department concerning the circumstance of the resignation. The district also shall notify the employee that information concerning the resignation is being forwarded to CDE unless such notice would conflict with the confidentiality requirements of the Child Protection Act.

Adopted: October 1998

Revised: April 2000

LEGAL REFS: C.R.S. 19-3-301 *et seq.* (*Child Protection Act of 1987*); C.R.S. 22-32-109.7

#### GDQD: 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 Board 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.

If an employee is dismissed as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior, which is supported by a preponderance of evidence, the superintendent is delegated the responsibility for immediately notifying the Colorado Department of Education (CDE) and for providing any information requested by the Department concerning the circumstances of the dismissal. The district also shall notify the employee that information concerning the dismissal is being forwarded to CDE unless such notice would conflict with the confidentiality requirements of the Child Protection Act.

If the district learns that a current employee has been convicted of, pled *nolo contendere* to, or received a deferred sentence 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 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.

Adopted: December 14, 1993

Revised: July 1999, September 1999, April 2000, June 2003

LEGAL REFS: 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; C.R.S. 22-32-110(1)(h); C.R.S. 22-32-126(3); 15 U.S.C. §§1681, *et seq.* (*Fair Credit Reporting Act*)