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**AURORA PUBLIC SCHOOLS**  
**Revised April 2002**  
**Revised November 2007**  
**Revised July 2009**  
**Reviewed August 2015**

**APS CODE: GBK**

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**CLASSIFIED STAFF CONCERNS/COMPLAINTS/GRIEVANCES**

It is the policy of the District to develop and practice effective methods of resolving employee grievances relating to formal disciplinary actions.

The chief personnel officer is designated as the grievance officer for the school district. It will be the function of the officer to establish procedures and facilitate the processing of formal grievances.

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**I. Types of Grievances**

- A. **Class I** - Those relating to written reprimands or suspensions without pay for up to 10 work days, or perceived violation, misinterpretation or improper application of any District policy or regulation.
- B. **Class II** - Those relating to suspensions without pay in excess of 10 work days and dismissal.

**II. Standing to File Grievances**

- A. Grievances may be filed only by the aggrieved classified nonsupervisory employee. Temporary noncontract employees may not file grievances. The aggrieved employee is the employee who has been adversely and directly affected by administrative action defined in I. A. or I. B. above.
- B. Probationary employees may not file grievances.
- C. Grievances may not be filed with respect to suspensions pending investigation, but if discipline is imposed based upon the investigation, a grievance may be filed.

**III. Time Schedule for Filing Grievances**

- A. **Class I** - Grievances must be filed with the chief personnel officer within 10 work days of the incident that is the subject of the grievance. Any grievance filed outside of this timeline shall not be considered pursuant to this regulation.
- B. **Class II** - Grievances dealing with suspensions without pay or dismissals must be filed within 10 work days of receipt of the written notice of the suspension or dismissal action.

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**IV. Class I Grievance Steps**

- A. **Step 1** - Employees having a Class I grievance shall first present and discuss it with the employee's principal or immediate supervisor with the objective of resolving the matter informally. If the matter remains unresolved after discussion with the immediate supervisor, the employee shall then discuss the matter with the head of the division in which he or she works. (Where the immediate supervisor is the division head, the discussion should be with the person who supervises the division head.)
- B. **Step 2** - If the grievance is not satisfactorily resolved as a result of the Step 1 meeting, the employee may reduce the grievance to writing on the appropriate form (GBK-1-E) available online or from the chief personnel officer and file it with the chief personnel officer within the time limit for filing grievances detailed in III. A. The written grievance shall: (1) explain the specific incident that is the subject of the grievance in sufficient detail; (2) include a description of prior attempts to resolve the matter and the results of these attempts; and (3) discuss the reasons why the employee(s) is/are not satisfied with the prior results. The chief personnel officer or designee will meet with the employee within seven work days after receipt of the grievance. The chief personnel officer or designee will render a decision in writing within 10 work days following the meeting. That decision is final.

The parties agree that all grievance proceedings will be kept confidential to the extent feasible. In certain instances however, it may be necessary for the District to work with supervisors on the issue and to respond to questions from the media, etc.

When it is necessary for a designated representative (who must be a Classified Employee Council member assigned by the Classified Employee Council Grievance Committee) to attend a Class I hearing which occurs during the workday, the representative shall, with prior approval from the District, receive

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such release time as is actually necessary for attendance at such hearing.

**V. Class II Grievance**

Employees having a Class II grievance may, at their option, bypass Steps 1 and 2 as outlined for Class I grievances and submit a written request for review by the Board of Education as outlined in this regulation. The review must be requested within 10 work days of receipt of the written notice of suspension without pay of more than 10 work days or dismissal. The request for the review with the Board of Education will be submitted in writing to the Superintendent of Schools.

Upon receipt of the request, the Superintendent may arrange for the employee to meet with the Board in executive session as soon as feasible following the request. The issues before the Board of Education will be whether or not the suspension or dismissal was: (1) consistent with District policies and regulations; (2) for a reason which could be substantiated by testimonial or documentary evidence; and (3) whether the discipline imposed was appropriate for the offense. The presentation to the Board of Education will be on an informal or non-courtroom basis. The process described in GBK-3-E shall govern the conduct of the review.

If the employee requests, a Classified Employee Council member assigned by the Classified Employee Council Grievance Committee or some other person (including a lawyer) may assist in presenting the case to the Board of Education. In addition, District employees may also attend to present evidence on the employee's behalf and it is the responsibility of the employee to obtain their attendance. When it is necessary for a representative designated to attend a Class II review which occurs during the workday, that employee shall, with prior approval from the District, receive such release time as is actually necessary for attendance at such review. Should the employee desire to engage a lawyer at the employee's own expense, the employee must notify the Superintendent of the intent to do so at least seven work days before the review. The District reserves the right to treat an employee's cancellation of a confirmed review date as a waiver of the right to a review.

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**AURORA PUBLIC SCHOOLS**

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The Board may request attendance of any District employee including the affected supervisor, department or division head or chief personnel officer.

The Board shall review the record, inquire as it desires and reach a decision as to whether or not the suspension or dismissal was consistent with District policies and regulations. The employee shall be notified in writing of the decision of the Board within 10 work days after the review. The decision of the Board of Education is final.

The parties agree that all grievance proceedings will be kept confidential to the extent feasible. In certain instances however, it may be necessary for the District to respond to questions from the media and/or supervisors.

CROSS REFS.: GBK-3-E, Appeal Process  
GDQD-R, Discipline, Suspension and Dismissal of Support Staff

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**AURORA PUBLIC SCHOOLS**  
**1085 Peoria Street**  
**Aurora, Colorado 80011**

**CLASSIFIED EMPLOYEE**  
**GRIEVANCE FORM (OPTIONAL)**

Name \_\_\_\_\_ Date of Filing \_\_\_\_\_

Home Address \_\_\_\_\_ Telephone \_\_\_\_\_

Assignment / Site \_\_\_\_\_ Date of Hire \_\_\_\_\_

Immediate Supervisor \_\_\_\_\_ Department Director \_\_\_\_\_

Type of Grievance: (Please refer to regulation GBK-R)

\_\_\_\_\_ CLASS I – Those relating to written reprimands or suspensions without pay for up to 10 work days, and perceived violations, misinterpretation or improper application of any District policy or regulation.

\_\_\_\_\_ CLASS II – Those relating to suspensions without pay in excess of 10 work days and dismissal.

Statement of Grievance: Please provide as much information as possible to explain your grievance. You may provide any necessary attachments which you feel support your statement. You may use additional sheets if necessary. (If the Class I grievance is related to a perceived violation, misinterpretation or improper application of a district policy, please list the policy code.)

Policy Code \_\_\_\_\_ (If applicable)

Action Requested:

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I have made every attempt to resolve this with my Supervisor **and** with the Department Director and am now formally filing it as a grievance.

\_\_\_\_\_  
Signature of Grievant

\_\_\_\_\_  
Date

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**AURORA PUBLIC SCHOOLS**  
**Adopted July 1997 and May 1983**  
**Revised April 1990**  
**Recoded October 1991**  
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**Revised February 2014**  
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**APS Code: GBK-3-E**

**BOARD REVIEW/APPEAL PROCEEDINGS**  
**(Appeals by Administrative Employees and Classified Non-Supervisory Employees)**

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1. The president of the Board of Education shall call the executive session of the Board to order.
2. The secretary of the Board shall call the roll.
3. The secretary of the Board shall read the Notice of the Meeting and shall keep minutes or a tape recording of the meeting. At the request of either the administration or the employee, in addition to tape recording, the review may be recorded by other means, including by a court reporter. Should such a request be made, the party making the request shall be responsible for payment.
4. The employee may be represented at the review by an attorney-at-law or by another employee of the District if s/he wishes. However, the employee must notify the administration, in writing, through the Superintendent, of her/his intention to have an attorney represent her/him at the review, at least seven work days prior to the scheduled date of the review. If s/he does not give timely notice to the Superintendent, s/he will be barred from having an attorney represent her/him at the review.
5. The president shall ask the Superintendent of Schools or designee to give a brief overview of the case and such an overview shall then be given. At the option of the employee, s/he or designee, may then give a brief overview of the case from her/his perspective.
6. The Superintendent or designee shall then present whatever evidence s/he chooses in support of the action the administration has taken or recommended. After this is done, the employee, or designee will have the opportunity to present whatever evidence s/he chooses in support of her/his position.
7. After both sides have presented their case to the Board, the Board may ask such questions as it wishes of any person present at the review. The Board may also ask that any employee of the District (such as a supervisor or division head) be present in order to answer its questions

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**BOARD REVIEW/APPEAL PROCEEDINGS**  
**(Appeals by Administrative Employees and Classified Non-Supervisory Employees)**

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about the matter.

8. The Board shall have the power to limit the introduction of evidence which is not, in the opinion of the Board, relevant to the issues before it, which is inflammatory or which is repetitive. The Board shall also have the power to allow the District to present rebuttal evidence and the employee to present evidence in response to the District's rebuttal.
9. After both the administration and the employee have presented their cases, the Board shall recess into executive session where it will deliberate on the issue of whether the action taken by the administration should be reversed. The Board may decide to uphold the action taken by the administration, reverse the action or modify the action. The Board may either announce its decision to those present at the review immediately, or it may take the matter under advisement.
10. The president shall adjourn the meeting.
11. If the Board has taken the matter under advisement, the employee shall be notified in writing of the decision of the Board within 10 work days after the review regardless of the time of the Board's decision. If the Board determines that the action taken by the administration should be upheld, it shall be a simple, straightforward statement so notifying the employee in writing. If the Board determines that the action taken by the administration should be revised or modified, it shall notify the employee and the Superintendent of Schools by written notice that states what corrective action shall be taken.

**CROSS REFS.:** GBK-R, Staff Classified Concerns/Complaints/Grievances  
GCOC, Evaluation of Administrative and Professional/Technical Staff  
GCQF & GCQF-R, Discipline, Suspension and Dismissal of Administrators  
and Professional/Technical Employees  
GDQD & GDQD-R, Discipline, Suspension and Dismissal of Classified  
Employees