
AURORA PUBLIC SCHOOLS
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Revised February 2003
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APS Code: GDQD

DISCIPLINE, SUSPENSION AND DISMISSAL OF CLASSIFIED EMPLOYEES

The Board of Education authorizes the Superintendent to compose and implement regulations relating to the suspension, discipline and termination of classified employees. Such regulations shall be designed to treat employees fairly while at the same time maintain a productive and efficient workforce.

LEGAL REFS.: C.R.S. 22-32-109.7
C.R.S. 22-32 110 (1)(h)
C.R.S. 22-32-126 (3)

CROSS REFS.: GD, Support/Classified Staff
GBK-R, Classified Staff Concerns, Complaints and Grievances
GBK-3-E, Board Hearings/Appeal Process

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This regulation applies to all classified employees.

I. DEFINITIONS

- A. "Disciplinary action" shall include, but not be limited to, written reprimands, suspension without pay and dismissal. (Termination, as part of a reduction in force, is not a disciplinary action that is covered by this regulation.)
- B. "Supervisor" shall mean the employee's immediate supervisor, the principal of a school at which the employee works or is assigned, and higher District administrative personnel.
- C. "Superintendent" shall mean the Superintendent of Schools or designee.
- D. "He" and "his" shall mean, where appropriate, "s/he" and "her/his" respectively.
- E. "Employee" shall mean classified non-supervisory employees of the District.
- F. "Probationary employees" are those employees who have not completed one full year of continuous employment with the district. Probationary employees may be dismissed by the superintendent for any reason at any time during their probationary period. The grievance procedures will not apply to probationary employees and no reasons need be given for the dismissal.

II. CONDUCT

The conduct described below illustrates the kinds of behavior that could result in varying degrees of disciplinary action depending upon the supervisor's judgment of its seriousness, frequency and a disregard of warnings. This list is not all-inclusive and employees may be disciplined for conduct not listed.

- A. Failure to carry out instructions or failure to perform a job assignment in a satisfactory manner.
- B. Insubordination, which may include refusal to answer questions reasonably related to the employee's job.
- C. Discourteous, offensive or abusive conduct or language toward other employees, students, patrons or any other person which adversely affects the workplace.
- D. Dishonesty.
- E. Possessing, using, transmitting, dispensing, manufacturing or distributing or being

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under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, chemical or intoxicant of any kind while on duty or while on District property at any time or reporting to work while under the influence of any of the above. (Use of a drug authorized by medical prescription to the employee from a medical doctor will not be considered a violation of this rule, if the employee's supervisor is notified of the use of such drug and the prescription is presented upon request before the employee reports to work.)

- F. Excessive absences or tardiness.
- G. Abusing sick leave privileges.
- H. Failing to notify a supervisor prior to absence.
- I. Falsifying District records of any kind or other employment related records, including providing false information on an employment application form.
- J. Engaging in a work stoppage or strike of any kind or refusing to cross a picket line in the course of assigned duties.
- K. Failing to follow safety regulations or practices.
- L. Provoking, instigating or participating in a fight or scuffle which adversely affects the workplace.
- M. Being convicted of a criminal offense which reflects adversely on the District.
- N. Carelessness with or intentionally defacing or damaging (or attempting to damage or deface) District property or the property of others.
- O. Temporarily or permanently removing, possessing or using District property without proper authorization.
- P. Threatening, intimidating or coercing others.
- Q. Horseplay or practical jokes which can or do result in injury to a person or damage to property of the District or others.
- R. Failing to report to appropriate personnel—conditions or situations that could be injurious to personnel or equipment.
- S. Possessing, handling or transmitting on District property any object that can reasonably be considered a weapon.
- T. Making false, vicious or malicious statements about another employee or the District where such statements adversely affect the workplace.
- U. Engaging in conduct, whether on or off the job, which adversely affects the

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employee's ability to do his/her job or which reflects adversely on the district.

III. NOTICE

- A. Prior to taking any disciplinary action against an employee (or as soon thereafter as is practicable), except in the case of reprimands, the employee will be provided the reasons for the disciplinary action.
- B. In a situation where an employee's presence poses a continuing danger to persons or property, or an ongoing threat of disrupting any phase of the District's operation, or in cases where the employee is absent from the job, the employee may be immediately suspended and provided with the reasons within a reasonable time.

IV. REPRIMANDS AND SUSPENSIONS OF UP TO THREE DAYS

- A. A supervisor is authorized to issue written reprimands and to suspend an employee with or without pay for up to three workdays.

V. SUSPENSIONS OVER THREE DAYS

- A. A supervisor may recommend to the division head and to the Chief Personnel Officer or designee, that an employee be suspended for longer than three days. If such recommendation is approved, the employee will be so advised in writing within a reasonable time.

VI. DISMISSAL

- A. The superintendent and the chief personnel officer shall each have the power to accept the resignation or retirement of any employee.

A recommendation for dismissal of an employee may be made to the Chief Personnel Officer by the employee's principal, supervisor, department head or division head. If the recommendation is approved by the Chief Personnel Officer, the employee will be notified in writing within a reasonable time with the reasons for the recommendation set forth.

- B. Within 10 workdays after receipt of the written notice, the employee may file a

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grievance and it will be processed in accordance with the Class II grievance procedure. Probationary employees are not eligible to file grievances.

- C. If a grievance is not received within 10 workdays of the employee's receipt of the recommendation, the employee will be deemed to have waived the right to appeal, and the dismissal will be reported to the Board of Education at its next meeting.
- D. Pending appeal of the dismissal, the employee may be suspended without pay by direction of the Chief Personnel Officer.
- E. The effective date of an employee's termination shall be the last actual day worked. This includes cases where an employee files an unsuccessful appeal of a termination.
- F. An employee's resignation or retirement shall be effective as of the date and time when it is accepted by the superintendent or the Chief Personnel Officer, whether the acceptance is verbal or written. Any verbal acceptance of a resignation or retirement shall be confirmed in writing.

VII. MISCELLANEOUS

- A. All disciplinary action shall be recorded in an employee's personnel file and a copy of the document representing the disciplinary action will be given to the employee. The employee may file a written rebuttal to the discipline, which will also be placed in the employee's personnel file.
- B. If an employee is dismissed or resigns as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior, or an allegation of a sexual act involving a student who is eighteen years of age or older, regardless of whether the student consented to the sexual act, which is supported by a preponderance of the evidence, the superintendent is delegated the responsibility for notifying the Colorado Department of Education (CDE) as soon as possible but no later than 10 business days after such dismissal or resignation.
- C. An employee may be suspended with or without pay pending investigation of a complaint against the employee.

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- D. If an employee is suspended without pay, the District will have the option to cease paying insurance premiums for the employee on the 11th workday following suspension, if the suspension is still in effect at the time.

CROSS REFS: GBAA, Sexual Discrimination and Harassment
GBK-3-E, Appeal Process