

## **Discipline, Suspension and Dismissal of Classified Staff**

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

Corrective discipline in the form of oral warning or oral reprimand, written warning or written reprimand, suspension with pay and suspension without pay may be used, sequentially, in any combination, or singularly prior to a recommendation for termination of employment of a classified employee. The application of this policy shall not be a precondition to the district’s right to terminate or suspend an employee. This policy is intended to offer options for corrective discipline. However, the district reserves the right to apply or institute whatever disciplinary sanctions it deems appropriate at any time and in any sequence. The misapplication of a procedure, failure to apply a procedure or failure to adhere to a specific sequence in applying the procedures shall not be subject to grievance.

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

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

If an employee is dismissed or resigns as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior, 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 evidence, the superintendent shall notify the Colorado Department of Education (CDE) as soon as possible but no later than 10 business days after such dismissal or resignation. The superintendent shall provide any information requested by the department concerning the circumstances of the dismissal or resignation. The district also shall notify the employee that information concerning the dismissal or resignation is being forwarded to CDE.

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

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

Adopted: February 26, 2014

Revised and recoded by the superintendent: July 17, 2019

Revised: October 27, 2021

LEGAL REFS.: 15 U.S.C. 1681 *et seq.* (Fair Credit Reporting Act)  
C.R.S. 8-2-126 (limits employers' use of consumer credit information)  
C.R.S. 19-3-301 *et seq.* (Child Protection Act of 1987)  
C.R.S. 22-2-119 (duty to make inquiries prior to hiring)  
C.R.S. 22-32-109.7 (specific duties regarding hiring inquiries and reporting)  
C.R.S. 22-32-110 (1)(h) (power to discharge/terminate employment)  
C.R.S. 22-32-126 (3) (principals recommend employment actions)

CROSS REFS.:

*Board policy:*

EL-12, Staff Treatment

*Administrative policy:*

GD, Classified Staff

Weld County School District Re-3J, Hudson, Colorado