

# Aurora Public Schools Licensed Employee Handbook

*An overview of District policy,  
procedure and other information*

Updated August 2018





1085 Peoria Street  
Aurora, CO 80011

The Aurora Public Schools commits that it will provide equal opportunity for employment and participation in the educational programs and activities of the District. These opportunities will be provided to all people, regardless of race, age, color, creed, national origin, handicap or sex.

**Note:** Information contained in this handbook was correct at the time of printing, but is subject to regular change without advanced notice. Please contact Human Resources with any questions or concerns you may have regarding information contained in this handbook. Thank you.

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## UNDERSTANDING YOUR PAYCHECK

### Payments

Salaries for the contract year will be paid in twelve (12) equal monthly installments. Payday will be the last business day of each month, unless the last day falls on a non-duty day, whereby the payday will be changed to the last duty day prior to the weekend or holiday. Advice of direct deposit is available online at <https://www.atsprintfreedom.com>. Direct deposit is available at any banking institution as well as the Aurora Public Schools Credit Union.

### Payroll Deductions

Deductions and reductions are listed on the advice of direct deposit. Current figures, year to date figures, W-4 status, sick leave accrual, and vacation accrual are listed. W-2 forms are produced and distributed at year end. The cutoff date for changes and deductions is the 15th of each month.

Mandatory deductions include:

1. **Federal Withholding Tax** (listed as F.I.T. on advice of direct deposit): (listed as F.I.T. on advice of direct deposit): If changes need to be made you can find the W4 form at <https://www.irs.gov/pub/irs-pdf/fw4.pdf>. The only two steps required on the W-4 for all employees are Step 1, where you enter personal information like your name and filing status, and Step 5, where you sign the form. Complete Steps 2 - 4 only if they apply to you. Doing so will make your withholding more accurately match your liability. Please refer to the instructions included with the form or consult your tax advisor.
2. **Public Employees' Retirement Association (PERA)**, under reduction:
  - With few exceptions, participation in PERA is mandatory for every employee. This membership begins immediately upon employment. The employee percentage of contribution is 8% and the District's current contribution is 20.15%. This amount is subject to change.
  - Withdrawal: Upon termination or resignation, the employee may elect to withdraw his or her contribution. Refunds will be made within ninety (90) days of separation provided employment with another PERA affiliated organization is not begun during that period. Forms for refunds must be obtained directly from PERA, (303) 832-9550.
3. State Taxes (S.I.T.)
4. Medicare: For all employees hired after 1986, the contribution is 1.45% of the gross salary, with the District matching with 1.45% contribution.
5. Occupational Privilege Tax: Each employee must pay \$2.00 to the City of Aurora.
6. Child Support (court ordered only)
7. Garnishments
8. Tax Levies

For payroll deductions, please contact the Payroll Finance office at 303-365-5814.

### Voluntary Payroll Deductions

1. Health/Dental/Vision/Life Insurance 2. 401(k)/403(b)/Colorado PERA 457
3. Aurora Public Schools Credit Union
4. Partnership of Choice
5. Life Insurance through PERA
6. Aurora Public Schools Education Foundation
7. Dependent Life Insurance
8. Additional Taxes

Paper and electronic time sheets are processed for hours over contract, overtime and extra duty pay. The cutoff date for time sheets is the last Saturday on or before the 15th of the month. Time sheets submitted after the cutoff will not be processed until the following month.

### LICENSED STAFF SALARY SCHEDULE

A copy of the current Teacher Salary Schedule is available on the Human Resources Web site under Working for APS> Salary Schedules> Licensed Salary Schedule, and on the APS Intranet under Policies & Regulations, Section G, Policy GCBA. To effectively interpret the schedule, please read the following definitions of the column headings:

1. Step: The Step column indicates how many years of teaching experience you have (as recognized by APS) and/or how long you have been teaching with APS. For every year of continuous APS employment, you will move up a step on the salary schedule unless otherwise indicated. Your initial contract letter indicates which step you began on and you will receive a letter by e-mail from Human Resources every year when your step changes.
2. Columns BA—Doctorate: These columns indicate the level of education you have reached, as recognized by APS. You can advance horizontally on the salary schedule by earning 15 semester hours of college-level credit. The due date for salary advancement is the end of the month for the following month's paycheck. Please Note: There are restrictions on the types of credits that are recognized and all credits must be officially verified by the Human Resources Employee Services department (usually through submission of transcripts by the employee). For specific information on acceptable course credits, please contact the Employee Services Office at ext. 29021 or ext. 28030. For information on APS professional development credits, please contact the Professional Learning office at ext. 28720.

Administrators and Professional/Technical Staff can find a copy of their salary ranges under Policy GCBB-1-E on APSNET or on the Human Resources web site under Working for APS> Salary Schedules> Admin/PT Salary Schedule.

**IMPORTANT LEAVE POLICIES**

Accrual of paid leave (vacation, sick time, bereavement, personal days, etc.) is dependent upon the number of days worked in a year and the number of hours worked per day. Each of these leave codes is taken from the same accrual. Accrual is as follows:

<b>Type of Employee</b>	<b>Health Leave</b>	<b>Vacation</b>
12 Month Administrators and Professional Technical	10.0 hours/month	14.67 hours/month
Teachers	12 days/year; equivalent to your current work day (i.e. if you work 4.0 hrs./day, you accrue 48.0 hours of health leave in a year)	Zero (only 12-Month employees accrue vacation)
170—189 Days Worked Per Contract Year (Full Time or Part Time)	Pro-rated based on hours worked per day	Zero (only 12-Month employees accrue vacation)
Limited Part Time (3.99 hrs./day or less)	Zero	Zero (only 12-Month employees accrue vacation)

This chart is a general guideline only. For specific information on leave accrual, please contact the Compensation Office or refer to the Master Agreement or policies & regulations GCCAH and GCDB-R.

### **PAID HEALTH LEAVE BANK**

All new licensed employees contribute one day of their paid health leave to the Health Leave Bank on their first contract check; when necessary, employees may be called upon to contribute again to revitalize the Bank when hours run low.

Individuals who have used all accrued paid leave may apply to the bank for additional paid leave days for personal injury or illness (limit is 60 days per 365 day rolling calendar year); the Health Leave Bank Committee has the right to reject any application. Teachers should refer to Article 25 of the Master Agreement for specific information on the Health Leave Bank. If you are an administrator or professional/technical employee, please refer to Policy GCCBAA for specific information.

### **IMPORTANT LEAVE REMINDERS**

Every employee receives 3 Special Leave Days per year. These days may be used for personal business such as legal, business, household, family or religious matters but not for recreational or personal pleasure purposes. Personal time is included in your sick time total on your paycheck. Personal time must be pre-approved by your supervisor and reported in the absence reporting system using the reason code Special Leave.

Licensed employees may not use personal time on the workday before or after a vacation period or a holiday. There are limitations in place on the total number of requests that can be granted each day; please refer to Article 34 in the Master Agreement for specific information.

Jury Duty time and Work Injury time do not come out of your Health Leave or Vacation accrual.

Health Leave and Vacation accrual do carry over from year to year, but personal time does not; it must be used by the June payroll cutoff each year. If special leave is not used by the June payroll cutoff the time it will remain in your total leave balance and you will start the new year with 3 Special Leave days.

For purposes of tracking your accrued leave, please remember that the APS payroll cutoff for leave is always the Saturday on or before the 15th of the month. Health Leave may only be used for personal illness or the illness of an immediate family member (spouse, child, father, mother, foster father, foster mother, foster children, stepchildren, domestic partners, father-in-law, mother-in-law, brother, sister,

brother-in-law, sister-in-law, grandparent, grandchild, or any other relative of the teacher living in the immediate household of the teacher).

Bereavement Leave is limited to 5 days and is included in your sick time total on your paycheck

### [HOW TO REPORT ABSENCES AND FIND A SUBSTITUTE](#)

All Licensed employees use Aesop to report absences and find a substitute if necessary. Aesop is an automated system that can be accessed via phone: 303-340-0870 or view our [absence reporting](#) page online for further directions. Your login will be your 10-digit phone number. Your PIN is 9 + the last four digits of your social security number.

Information on how to use Aesop is available online at the Human Resources site on APSNET—go to the Resources tab, click on KES-Absence Reporting and refer to either the Employee Quick Start Guide or the Employee User Guide.

### [ABSENCE REMINDERS](#)

Employees will have until one hour before the Aesop start time for their school to enter a same day absence directly into the system. After the one hour cut-off time, an employee will have to call the Scheduling Team to have the absence created. This is to ensure that the team is aware of the absence immediately so that they can begin calling out on it if it requires fulfillment.

If a substitute is required for your position, please record your absence well before the start of the work day. The more time you give the system to find a substitute, the more likely it is to find one to cover your absence.

Entering special instructions for a substitute is strongly encouraged. Substitutes are more likely to accept an assignment when they have some information about the job.

When an absence is 5 days or more, please call the Kelly Office after notifying the Scheduling Team. Long term assignments require special attention to insure the absence is filled in a timely manner with the right person.

For further information you can visit our Absence Reporting website at:

<https://hr.aurorak12.org/resources/absence-reporting/>



**PAID HOLIDAY SCHEDULES**

Like leave accrual, the number of paid holidays an employee receives per year is dependent on days and hours worked. Please refer to the chart on the following page as a general guideline.

<b>Employee Type</b>	<b>Number of Paid Holidays Per Year</b>	<b>Specific Holidays Off</b>
12-Month Full-Time Administrators and Professional/Technical employees	11	2 days at Christmas, 2 days at New Years, Martin Luther King Day, President’s Day, Memorial Day, July 4th, Labor Day, 2 days at Thanksgiving
Teachers and other licensed employees working less than 12-months	Zero; all holidays that fall within the school calendar are unpaid days off. These days are not included in the 187-day contract year.	
This is a generalized guide only; for specific information on paid holidays please contact the Compensation Office at ext.28066 or ext. 28039.		

## HOW TO LOCATE DISTRICT INFORMATION

Aurora Public Schools provides extensive District-related information via their two Web sites — the public Web site [aurorak12.org](http://aurorak12.org) and the private (employees only) intranet — <https://sites.google.com/aurorak12.org/apsnet/>. The following guide will help you find information on the two Web sites.

Note: This information was accurate at the time of printing but may have changed due to updating of the Web sites.

When you visit the Aurora Public Schools Home Page, you will see 9 buttons in a horizontal bar at the top of the screen. The following information indicates what information can be found under each button following the Home button:

### About APS

- APS 2020: Shaping the Future
- Budget Redesign Process
- Decision Making in APS
- Fast Facts
- Mill Levy Information
- Student Demographics
- APS Budget Tool
- Communication
- District Policies
- Financial Transparency
- School Safety
- Board of Education
- Community Update
- Dropout Prevention
- Glossary
- Student Achievement
- Bond Projects

- CSU- Global Partnership
- Energy & Resource Conservation
- Lead Testing in Water
- Student Data Privacy

### **Schools**

- Find a School
- Bus Stop Information
- Child Care Programs
- International Baccalaureate
- Pyschools Meal Payments
- Address Lookup Tool
- Cafeteria Menus
- College Credit Options
- Maps
- Register Your Child
- Alternate Schools and Programs
- Calendars
- Early Childhood Education
- Office of Autonomous Schools
- School Supplies
- Bell Schedules
- Charter Schools
- GED
- Open Enrollment
- Weather Closures

### **Students**

- APS SafeNet
- College Resources
- Graduation Dates
- Library Catalogs
- Request Records
- Student News
- Athletics and Activities
- CSU-Global Tuition Discount
- Graduation Requirements
- Online Learning Resources
- Resources for Students
- Young Parent Support Program

- College and Career Success
- Digital Badge Program
- High School Planning Guides
- Parent & Student Handbook
- Scholarships
- College Credit Options
- GED
- Internet Research
- Register for School
- School Counselors

### **Parents**

- Active Involvement with your Child
- Cafeteria Menus
- College Credit for Students
- Guide to High Schools
- Legal Rights
- Parent Portal
- Request Student Records
- Student Resources
- Apply for Lunch Online
- Calendars
- Curriculum
- Health Information
- McKinney-Vento Resources
- Pay for School Meals Online
- School & Community Services
- Textbook Adoption
- APS Welcome Center
- Check in your Child for School
- Exceptional Student Services
- Internet Safety
- Parent & Family Resources
- Register your Child
- School Counselors
- Title I Choice/SES
- Behavior Expectations
- College & Career Success
- Gifted & Talented
- Kids Clinics

- Parent & Student Handbook
- Response to Intervention
- School Safety
- Young Parent Support Program

### **Community**

- APS Connect
- Buckley Air Force Families
- Facilities Rental
- Partnerships
- School Reunions
- APS Foundation
- Community Resources
- GED
- Realtor Information
- Volunteers
- APS Welcome Center
- Community Yearly Update
- Military Families
- School & Community Services
- Aquatics Program
- DAAC
- Partner with APS
- School Performances

### **Staff**

- Absence Reporting
- Email Online
- Licensed Professional Development
- RANDA Evaluation Tool
- Safety Training
- APSNet Intranet
- Enrich Login
- McKinney-Vento Program
- Recognizing Excellence

- Staff News
- CSU- Global Tuition Discount
- Google Drive Login
- Mileage Reimbursement Forms
- Response to Intervention/MTSS
- Staff Resources
- Educator Effectiveness
- Infinite Campus Login
- P-12 Instructional Resources
- Retirement & Farewell Celebrations

**Divisions**

- Board of Education
- Equity in Learning
- Finance
- Human Resources
- Superintendent
- Support Services

**Work for APS**

- View current job openings

**HELPFUL PHONE NUMBERS**

ESC 4	EXT. 28000 OR 303-344-8060
Division of Instruction	303-340-0859
Employee Assistance Program	1-888-628-4809
Employee Benefits	Ext. 28038 or 28073
Employment Office- Licensed	Ext. 28033
Help Desk	Ext. 28203 or 303-340-0520
Human Resources	Ext. 28036
Professional Development- Licensed	Ext. 28703
Security	Ext. 28484 or 303-365-7816

### DISTRICT POLICIES

An Index of Policies in Sections A and G and the policies listed below are printed on the following pages for your information:

- ADC — Tobacco Free Schools
- GBEC — Drug Free Workplace
- GBAA — Nondiscrimination/Nonharassment

### POLICY INDEX

Use this index to quickly identify which policies deal with the information you may be looking for. Only the Foundations and Basic Commitments and Personnel sections are included here. For a complete index, visit the Policies and Regulations sites on the APS website and Intranet

<b>Section A- Foundations and Basic Commitments</b>	
AA	School District Legal Status: Policy AA-E District Boundaries Map: Exhibit
AC	Nondiscrimination/Equal Opportunity AC. 1 -E Notice of Nondiscrimination: Regulation
ACE	Nondiscrimination on the Basis of Disability
AD	Educational Philosophy/School District Mission: Policy
ADC	Tobacco-Free Schools: Policy ADC-E Tobacco-Free Schools: Exhibit
ADD	Safe Schools: Policy
ADF	School Wellness: Policy
ADH	District Philosophy Statement on Student Discipline: Policy
ADHA	District Statement on Shared Responsibility in Student Discipline: Policy
AE	Accountability/Commitment to Accomplishment: Policy AE-R Accountability/Commitment to Accomplishment: Regulation

AED	Accreditation
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<b>Section F- Personnel</b>	
GBA	Hiring/Equal Employment Opportunity: Policy
GBAA	Nondiscrimination/Nonharassment of Employees GBAA-R Nondiscrimination and Nonharassment: Regulation GBAA-E Discrimination/Harassment Complaint Form: Exhibit
GBEA	Staff Ethics/Conflict of Interest: Policy GBEA-R Staff Ethics/Conflict of Interest: Regulation
GBEB	Post Hire Background Checks
GBEBA	Staff Member Dress: Policy
GBEBC	Gifts to and Solicitations by Staff: Policy GBEBC-R Gifts to and Solicitations by Staff: Regulation
GBEC	Drug and Alcohol Free Workplace: Policy GBEC-R Drug and Alcohol Free Workplace: Regulation
GBECA	Drug and Alcohol Testing: Policy GBECA-R Drug and Alcohol Testing: Regulation GBECA- 1-E Drug and Alcohol Testing Definitions: Exhibit GBECA-2-E Controlled Substance Medical Exception Procedure: Exhibit GBECA-3-E Observed Behavior—Reasonable Cause Record: Exhibit GBECA-4-E Drug Testing Custody and Control Form: Exhibit
GBGA	Staff Health and Safety: Policy GBGA-R Staff Health and Safety: Regulation
GBGB	Staff Personal Security and Safety: Policy GBGB-R Staff Personal Security and Safety: Regulation GBGB-E Assault and Misconduct Form: Exhibit
GBGC	Employee Assistance/Wellness Programs: Policy GBGC-R Employee Assistance/Wellness Programs: Regulation
GBGD	Workers' Compensation: Policy GBGD-R Workers' Compensation: Regulation
GBGE	Legal Protection of Employees: Policy
GBI	Staff Participation in Political Activities: Policy
GBJ	Personnel Records and Files: Policy
GBK	Classified Staff Concerns/Complaints/Grievances: Policy GBK-R Classified Staff Concerns/Complaints/Grievances:



	Regulation GBK-1-E Classified Employee Grievance Form: Exhibit GBK-3-E Board Hearings/Appeal Proceedings: Exhibit
GCB	Professional Staff Contracts and Compensation: Policy
GCBA	Professional Staff Contracts/Compensation/Salary Schedules: Policy GCBA-1-E Teacher Salary Schedule: Exhibit GCBA-2-E Extracurricular Activities Salary Schedule: Exhibit GCBB-R Administrator and Professional/Technical Staff Compensation: Policy GCBB-1-E Administrator and Professional/Technical Salary Schedule: Exhibit
GCC	Staff Leaves and Absences: Policy GCC-1 -R Reporting and Approving Staff Absences: Regulation GCC-2-R Absences—Teachers with Multiple Assignments: Regulation
GCCAA	Staff Sick Leave: Policy
GCCAB	Staff Personal/Emergency/Legal Leave: Policy
GCCAD	Staff Military Leave: Policy
GCCAG	Staff Leaves of Absence Without Pay: Policy
GCCAH	Staff Paid Leave: Policy
GCCAI	Staff Medical and Family Leave
GCCB	Administrative, Professional/Technical, and Instructional Staff Leaves and Absences: Policy
GCCBAA	Administrative and Professional/Technical Staff Health Leave Bank: Policy GCCBAA-R Administrative and Professional/Technical Staff Health Leave Bank: Regulation
GCCBG	Administrative Staff Consultant Leave: Policy GCCBG-R Administrative Staff Consultant Leave: Regulation
GCDB	Administrator/Professional/Technical Employee Vacations: Policy GCDB-R Administrator/Professional/Technical Employee Vacations: Regulation
GCE/GCF	Professional Staff Recruiting/Hiring: Policy GCE/GCF-R Professional Staff Recruiting and Hiring: Regulation
GCFC	Professional Staff Licensing and Credentialing Requirements: Policy
GCK	Professional Staff Assignments and Transfers: Policy GCK-R Professional Staff Assignments and Transfers: Regulation
GCOC	Evaluation of Administrative and Professional/Technical Staff: Policy
GCQB	Administrative Staff Reduction in Force: Policy GCQB-R Administrative Staff Reduction in Force: Regulation
GCQF	Discipline, Suspension, and Dismissal of Non-Licensed Administrators and Professional/Technical Employees: Policy GCQF-R Discipline, Suspension, and Dismissal of Non-Licensed Administrator and Professional/Technical Employees: Regulation
GCS	Professional Research and Publishing: Policy
GD	Support/Classified Staff: Policy

GDBA	Classified Staff Salary Schedules: Policy GDBA-R Support Staff Salary Schedules: Regulation GDBA-1 -E Support Staff Salary Schedules: Exhibit GDBA-2-E Administrator and Professional/Technical Salary Schedule: Exhibit GDBA-3-E Support Staff Salary Schedules: Exhibit GDBA-4-E Extracurricular Activities Salary Schedule: Exhibit
GDBC	Classified Employee Supplementary Pay/Overtime: Policy GDBC-R Classified Employee Supplementary Pay/Overtime: Regulation
GDCAA	Support Staff Health Leave Bank: Policy GDCAA-R Classified Staff Health Leave Bank: Regulation
GDCCF	Federally Mandated Family and Medical Leave: Policy GDCCF-1-R Federally Mandated Family and Medical Leave: Regulation GDCCF-2-R Federally Mandated Family and Medical Leave/Definitions: Regulation GDCCF-1 -E Certification of Health Care Provider: Exhibit GDCCF-2-E Request for Family/Medical Leave: Exhibit
GDD	Support Staff Vacations and Holidays: Policy GDD-R Support Staff Vacations and Holidays: Regulation GDE/GDF-R Support Staff Recruiting/Hiring: Regulation
GDJ	Support Staff Assignments and Transfers: Policy GDJ-R Support Staff Assignments and Transfers: Regulation
GDKA/GDKB	Length of Support Staff Work Day/School Year: Policy GDKA-R/GDKB-R Length of Support Staff Work Day: Regulation
GDMD	Support Staff Professional Development: Policy GDMD-R Support Staff Professional Development: Regulation
GDO	Evaluation of Support Staff: Policy GDO-R Evaluation of Classified Staff: Regulation
GDP	Classified Staff Promotions and Reclassification: Policy GDP-R Classified Staff Promotions and Reclassification: Regulation
GDQ	Support Staff Termination of Employment: Policy
GDQD	Discipline, Suspension and Dismissal of Classified Employees: Policy GDQD-R Discipline, Suspension and Dismissal of Classified Employees: Regulation
GDQE	Reinstatement of Support Staff Employees: Policy
GDSA	Classified Employee Council: Policy GDSA-R Classified Employee Council: Regulation

Aurora Public Schools Adopted September 1994 Revised November 2007 Revised December 2008	APS Code: ADC
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Revised January 2015 Reviewed February 2016 Reviewed June 2017	
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## TOBACCO-FREE SCHOOLS

In accordance with Colorado statute and to promote the general health, welfare and well-being of students and staff, smoking, chewing or any other use of any tobacco product by staff, students and members of the public is prohibited on all school property.

Possession of any tobacco product by students is also prohibited on school property.

For purposes of this policy, the following definitions apply: 1. "School property" means all property owned, leased, rented or otherwise used or contracted for by a school including but not limited to the following:

1. "School property" means all property owned, leased, rented or otherwise used or contracted for by a school including but not limited to the following:
  - a. All indoor facilities and interior portions of any building or other structure used for children under the age of 18 for instruction, educational or library services, routine health care, daycare or early childhood development services, as well as for administration, support services, maintenance or storage. The term does not apply to buildings used primarily as residences, i.e., teacherages.
  - b. All school grounds over which the school exercises control including areas surrounding any building, playgrounds, athletic fields, recreation areas and parking areas.
  - c. All vehicles used by the district for transporting students, staff, visitors or other persons.
  - d. At a school sanctioned activity or event.
2. "Tobacco product" means:
  - a. Any product that contains nicotine or tobacco or is derived from tobacco and is intended to be ingested or inhaled by or applied to the skin of an individual, including but not limited to cigarettes, cigars, pipe tobacco, snuff and chewing tobacco; and
  - b. Any electronic device that can be used to deliver nicotine to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo or pipe.
  - c. "Tobacco product" does not include any product that has been approved by the appropriate federal agency as a tobacco use cessation product
3. "Use" means lighting, chewing, smoking, ingesting or application of any tobacco product

Signs will be posted to notify the public that smoking or other use of tobacco products is prohibited in accordance with state law and district policy.

Notice of this policy will be published in employee and student handbooks.

Any member of the general public considered by the superintendent or designee to be in violation of this policy will be instructed to leave school district property. Employees found to be in violation of this policy will be subject to appropriate disciplinary action.

Employee penalties for violating this policy and/or regulation may include:

1. Warning:
2. Written reprimand; and/or
3. Suspension without pay

However, where an employee has been given a specific written directive not to smoke on District property, violation of such a directive may constitute insubordination and result in discipline greater than that outlined in this regulation.

Alternatively, employees may be allowed, at the supervisor's option, to participate in an acceptable smoking/tobacco cessation program. Evidence of enrollment in and completion of such a program must be reported by employees to their immediate supervisors.

Disciplinary measures for students who violate this policy will include in-house detention, revocation of privileges and exclusion from extracurricular activities. Repeated violations may result in suspension from school. In accordance with state law, no student will be expelled solely for tobacco use.

LEGAL REFS.: 20 U.S.C. 7971 et. seq. (prohibits smoking in any indoor facility used to provide educational services to children) C.R.S. 18-13-121 (furnishing tobacco products to minors) C.R.S. 22-32-109 (1) (bb) (policy required prohibiting use of tobacco products on school grounds.) C.R.S. 22-32-109.1(2)(a)(I)(H) (policy required as part of safe schools plan) C.R.S. 25-14-103.5 (tobacco use prohibited on school property) C.R.S. 25-14-301 (Teen Tobacco Use Prevention Act)

CROSS REFS: KFA, Public Conduct on District Property

Aurora Public Schools Adopted December 1990 Recoded June 1992 Revised November 2007 Revised December 2014 Reviewed February 2016	APS Code: GBEC
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### DRUG AND ALCOHOL FREE WORKPLACE

The Board recognizes the importance of maintaining a workplace that is free from alcohol and drugs to enhance the safety and welfare of employees and students and ensure compliance with applicable law. Accordingly, it shall be a violation of Board policy for any district employee to possess, use or be under the influence of alcohol or illicit drugs on district property, in or on district vehicles, at any school-sponsored or district-sponsored activity or event, or off district property when the employee is on duty.

For purposes of this policy, "illicit drugs" means narcotics, drugs and controlled substances as defined in law. As a recipient of federal funds, the district has an obligation to maintain a drug-free workplace. Thus, for purposes of this policy, marijuana is a controlled substance. "Illicit drugs" also includes any prescription or over-the-counter drug that does not meet the following four criteria: (1) the employee has a current and valid prescription for the drug or the drug is sold over-the-counter; (2) the drug is used or possessed for the purpose for which it was prescribed or sold over-the-counter; (3) the drug is used or possessed at the dosage prescribed or recommended; and (4) the drug is used or possessed consistent with the safe and efficient performance of the employee's job duties.

Although some actions involving marijuana, including its use for recreational and medicinal purposes are no longer prohibited by state law, state law does prohibit the possession or use of recreational and/or medical marijuana on school grounds or on school buses. In addition, federal law still prohibits the manufacture, sale, distribution, possession and use of marijuana. As a recipient of federal funds, the district has an obligation to maintain a drug-free workplace.

### **Drug-Free Workplace Act**

Under the federal Drug-Free Workplace Act (the Act), the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in any district workplace. The Act defines "controlled substance" as a controlled substance in schedules I through IV of 21 U.S.C. section 812, which includes but is not limited to marijuana, cocaine, opiates, phencyclidine (PCP) and amphetamines (including methamphetamine).

Pursuant to the Act, 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 days after the conviction. The district has an obligation under the Act to notify the appropriate federal agency within 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.

### **Drug Abuse Prevention Program**

The Superintendent shall establish a program to prevent the use of illicit drugs and alcohol by employees. This program shall, at a minimum, satisfy the following requirements:

- There shall be established standards of conduct applicable to employees that clearly prohibit the unlawful possession, use, distribution, being under the influence of, manufacture or dispensation of controlled substances or of illicit drugs or alcohol by employees on school premises or as part of any of the District's activities;
- There shall be developed a clear statement of the sanctions which will be imposed, consistent with applicable law, against employees who violate the

standards of conduct, up to and including termination of employment and referral for prosecution;

- Information about any drug and alcohol counseling and rehabilitation and re-entry programs that are available to employees shall be distributed;
- Parents, students and employees shall be given a copy of the standards of conduct and statement of sanctions which are developed;
- Parents, students and employees shall be notified that compliance with the standards of conduct is mandatory; and
- - A review shall be undertaken once every two (2) years of the program to (a) determine its effectiveness and implement needed changes to the program; and (b) ensure that the sanctions for violations of the standards of conduct are consistently enforced.

### **Rules Regarding Grants from Federal Agencies**

The Superintendent shall, in connection with actions taken pursuant to grants from federal agencies require that:

- All certification to a granting agency (including those as to the maintenance of a drug free workplace) which are required by law to be made as a condition of receiving a grant shall be made in a timely manner;
- There shall be established a drug free awareness program to inform employees directly engaged in the performance of work under federal grants of (1) the dangers of drug abuse in the workplace; (2) the District's policy of maintaining a drug free workplace; (3) any available drug counseling, rehabilitation and employee assistance programs; and (4) penalties that may be imposed upon employees for drug abuse violations;
- In the statement of standards of conduct and sanctions distributed to each employee to be engaged in the performance of work under the grant, the employee shall be notified that as a condition of employment in such grant the employee will (1) abide by the standards of conduct in the statement; and (2) notify the District of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- The federal agency that made the grant shall be notified of any criminal drug statute conviction for a violation occurring in the workplace and that this notification shall be made no later than 10 days after the District is notified of the conviction by an employee or receives actual notice of the conviction by some other means;
- If an employee who is directly engaged in the performance of work under the grant is convicted of any criminal drug statute violation for a violation occurring in the workplace, that employee shall either be disciplined in some manner or shall be required to satisfactorily participate in a drug abuse assistance or rehabilitation program; any such program shall have been

- approved by a federal, state or local health, law enforcement or other appropriate agency; and
- Steps shall be taken to see that a good faith effort to continue to maintain a drug free workplace at those sites where work on federal grants is done through the implementation of the rules applicable to federal grants.

**Note on definition of terms:** As used in this policy, the terms "controlled substance", "conviction", "criminal drug or alcohol statute" and "federal agency" shall have the meanings assigned to them by federal law at 41 U.S.C. 706. The term "illicit drug use" (and other phrases using the term "illicit drug") shall mean the use of illegal drugs and the abuse of other drugs and alcohol), including anabolic steroids.

LEGAL REFS.: 20 U.S.C. 7101 et seq. (Safe and Drug-Free Schools and Communities Act) 21 U.S.C. 812 (definition of controlled substance) 41 U.S.C. 8101 and 8102 (Drug-Free Workplace Act of 1988) 34 C.F.R. Part 84 (regulations implementing the Drug-Free Workplace Act) Colo. Const. Art. XVIII, Section 16(6) (employers may restrict marijuana use, possession, sale, etc. by employees) C.R.S. 18-18-407 (2) (crime to sell, distribute or possess any controlled substance on or near school grounds or school vehicles) C.R.S. 25-1.5-106 (12)(b) (possession or use of medical marijuana in or on school grounds or in a school bus is prohibited) C.R.S. 25-14-103.5 (boards of education must adopt policies prohibiting use of retail marijuana on school property)

CROSS REF.: GDQD-R, Discipline, Suspension and Dismissal of Support Staff GCQF-R, Discipline, Suspension and Dismissal of Administrators and Professional/Technical Employees

1. Observance of Policy GBEC is a condition of employment with the District.
2. A violation of the policy shall subject the employee to appropriate disciplinary action which may include termination and referral for prosecution. Alternatively, the employee may (where such action is not in conflict with either District policy or law) be allowed to participate in an approved drug or alcohol abuse assistance or rehabilitation program in accordance with the Employee Assistance/Wellness Policy (APS Code GBGC). Participation in such program shall be at the employee's expense.
3. As part of its Drug and Alcohol Free Awareness Program, the District provides the following information to all employees:
  - a. Drug counseling, rehabilitation and employee assistance programs available to all employees; and
  - b. Literature concerning the dangers of drug and alcohol abuse. Employees and supervisors are encouraged to review both the policy and such information, at least annually.
4. Copies of policy GBEC will be distributed to each employee of the District or will be included in employee handbooks

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**NONDISCRIMINATION/NONHARASSMENT OF EMPLOYEES**

The Aurora Public Schools is committed to the policy that no otherwise qualified employee shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any district program or activity on the basis of race, color, religion, creed, national origin, ancestry, genetic information, marital status, gender, age, disability or sexual orientation.

As part of this policy, the district is committed to maintaining a working environment for employees that is free from harassment based on an individual’s race, color, religion, creed, national origin, ancestry, genetic information, gender, sexual orientation, age, disability or protected activity (opposition to prohibited discrimination or participation in the statutory complaint process). All such harassment, by district employees, students and third parties, is strictly prohibited. All members of the district community, employees, and students are required to promptly report conduct that could be in violation of this policy.

In addition to the procedures outlined herein, discrimination and harassment complaints may be filed with the U.S. Equal Opportunity Commission; U.S. Department of Education, Office for Civil Rights; or Colorado Civil Rights Commission. Any complaint of harassment filed under the district’s policy shall be processed even if the complainant also files a complaint or suit with an outside agency such as the U.S. Equal Employment Opportunity Commission; U.S. Department of Education, Office for Civil Rights; or Colorado Civil Rights Commission. Retaliation against anyone who makes a complaint or participates in the complaint process shall not be tolerated.

The district will (1) respond to every complaint of discrimination or harassment reported; (2) take action in response when discrimination or harassment is discovered; (3) impose appropriate sanctions on offenders in a case-by-case manner; and (4) protect the privacy of all those involved in discrimination or harassment complaints to the extent practical and appropriate under the circumstances. The above actions will apply to the extent permitted by law or where personal safety is not an issue.

Harassment is defined as unwelcome communication including verbal, written, electronic or physical conduct based on race, color, religion, creed, national origin, ancestry, genetic information, gender, sexual orientation, age, disability, or protected activity, that has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment.

Harassment does not include verbal expressions or written material that is relevant and appropriately related to course subject matter or curriculum.

Harassment based on race or color can include unwelcome, hostile and offensive communication including verbal, written, electronic or physical conduct based on or directed at the characteristics of a



person's race or color, such as nicknames emphasizing stereotypes, racial slurs, and negative references to racial customs.

Harassment based on religion or creed can include unwelcome, hostile and offensive communication including verbal, written, electronic or physical conduct based on or directed at the characteristics of a person's religion or creed, such as comments regarding surnames, religious tradition or religious clothing, as well as religious slurs and/or graffiti.

Harassment based on national origin or ancestry can include unwelcome, hostile and offensive communication including verbal, written, electronic or physical conduct based on or directed at the characteristics of a person's national origin, such as comments regarding surnames, manner of speaking, customs, language or ethnic slurs.

Harassment based on disability can include unwelcome, hostile and offensive communication including verbal, written, electronic or physical conduct based on or directed at the characteristics of a person's disabling condition, such as imitating manner of speech or movement; hostile or offensive acts; and/or interference with movement or access to necessary equipment.

Harassment based on genetic information can include unwelcome, hostile and offensive communication including verbal, written, electronic or physical conduct based on or directed at the person's genetic information or that of the person's relative(s). Genetic information includes information about a person's genetic tests and the genetic tests of a person's family members, as well as information about the manifestation of a disease or disorder in a person's family members.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational experience;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual;
3. Such conduct is sufficiently severe and pervasive so as to alter the conditions of, or have the purpose or effect of substantially interfering with, an individual's work by creating an intimidating, hostile, or offensive working or educational environment.

The definition of sexual harassment applies whether the harassment is between people of the same or different gender. Sexual harassment can include unwelcome communication including verbal, written, electronic or physical conduct, directed at or related to a person's gender, such as sexual gossip or personal comments of a sexual nature, sexually suggestive or foul language, sexual jokes, whistling, spreading rumors or lies of a sexual nature about someone, demanding sexual favors, forcing sexual activity by threat of punishment or offer of educational or employment reward, obscene graffiti, display or sending of pornographic pictures or objects, offensive touching, pinching, grabbing, kissing, or hugging or restraining someone's movement in a sexual way.

Generally, conduct must be unwelcome in order to constitute harassing behavior. However, when behavior is engaged in by a non-student and directed toward a student, the behavior is prohibited whether or not it is welcome. Any sexual contact, sexually related communication or other sexual attention, directed by an employee toward a student is strictly prohibited whether or not the student considers the activity to be welcome or consents to such activity.

### **REPORTING SUSPECTED DISCRIMINATION AND/OR HARASSMENT**

Any employee who believes that he or she may have experienced unlawful discrimination or harassment, or who believes that he or she has observed unlawful discrimination or harassment taking place, shall report this information immediately to his or her immediate supervisor.

If the complaint involves the employee's immediate supervisor, the employee may report to the supervisor or administrator at the next level or may report directly to a human resources director. An employee may also request the right to make his or her report of sexual harassment or discrimination to an appropriate level supervisor or administrator of the same sex as the employee. Such request shall be made through the chief personnel officer of human resources or designee. Where the complaint is against the Superintendent of schools, the report may also be made to a member of the Board of Education.

No employee shall be subject to adverse employment action in retaliation for any good faith report of unlawful discrimination or harassment under this policy. To the extent practicable, all reports shall be kept confidential.

The administrator receiving the complaint shall promptly refer the matter to the Division of Human Resources to investigate any report of alleged discrimination or harassment. The allegations will be promptly investigated, if the facts support such a complaint, take prompt action, which may range from a warning or reprimand to dismissal of the offending employee. All employees are, as a condition of employment, required to cooperate fully with the district's investigation, to respond fully and truthfully to all inquiries made of them and to provide a written statement of all pertinent facts when requested.

Where discrimination or harassment is found to have occurred, the victim may be offered counseling where in the opinion of the district, it is appropriate. Where counseling is provided, it shall be paid for by the district. Where counseling is provided, this should not be considered an admission of fault or liability by the district, but rather should be viewed as an indication of the district's desire to provide assistance and support to victims of harassment.

Notice (which may include notice by e-mail) of this policy shall be provided each school year to employees.

(NOTE: This policy governs cases where the perpetrator of discrimination or harassment is an employee. Cases where the perpetrator is a student are governed by policy JBB.)

LEGAL REFS.: Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e et seq. Title IX of the Education Amendments Act of 1972, 20 U.S.C. 1681 Age Discrimination in Employment Act, 29 U.S.C. 621 et seq.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794 Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d 42 U.S.C. §2000ff et seq. (Genetic Information Nondiscrimination Act of 2008) Age Discrimination Act of 1975, 42 U.S.C. 6101 et seq. Americans with Disabilities Act, 42 U.S.C. 12101 et seq. C.R.S. 18-9-121 C.R.S. 24-34-401, 402 CROSS REFS.: AC, Nondiscrimination/Equal Opportunity GDQD, Discipline, Suspension and Dismissal of Classified Employees JBB, Sexual Harassment

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### **NONDISCRIMINATION/NONHARASSMENT**

The supervisor of an employee must take action if s/he knows of an alleged instance of harassment or discrimination in violation of policy GBAA. This includes harassment or discrimination based on race, color, national origin, gender, religion, creed, ancestry, age, disability, genetic information, marital status or sexual orientation. The person notified or aware of the matter will, after consultation with the appropriate personnel in the Division of Human Resources, take prompt and appropriate action to see that an investigation is conducted and corrective and/or disciplinary action is taken against any employee(s) who have violated this policy. The intent of these procedures is to resolve the situation in a timely manner.

#### **Procedures:**

1. School district administration must know of discrimination or harassment before it can attempt to take corrective action. Accordingly, if a person suspects harassment or discrimination, s/he should promptly report it. Employees should not assume that administration is already aware of the situation. They should also not assume that it is someone else's duty to report. The report should be made by contacting the immediate supervisor, building principal, or the chief personnel officer. If the complaint is against the individual's supervisor, s/he is encouraged to contact the director of employee relations or the chief personnel officer, the Superintendent or, if the complaint is against the Superintendent, the president of the Board of Education. The

person who receives the complaint will be known as the third party for the purpose of this policy.

The third party should ensure that a description of any alleged violations and of corrective actions taken are documented in writing.

2. If deemed necessary by the Superintendent or the chief personnel officer, a written complaint form may be completed either by the complainant or the third party that will include the following:
  - Complainant's name and address
  - Date(s) of the incident(s)
  - Description of the incident(s)
  - Name(s) of the person(s) involved in the incident(s)
  - What, if anything, the employee did to indicate to the alleged offender that the conduct was unwelcome
  - Name(s) of any witness(es) to the incident(s)
  - Requested resolution of the complaint
  - Signature of the complainant (will be requested, but not required)
  -

Unless the supervisor is the party accused of harassment, s/he will ordinarily be notified of the general nature of the allegations so as to be in a position to monitor the situation at the worksite as necessary.

3. An investigation will be conducted to allow for the gathering of information regarding the alleged harassment from the complainant, the alleged offender and other appropriate persons. Within twenty (20) business days of meeting with the complainant, the third party or a member of the Division of Human Resources will complete an investigation and render a decision in writing based on the information, to the complainant and the alleged offender. This timeframe may be extended upon notice to all parties if circumstances of the investigation dictate. If the third party is not a member of the Human Resources staff, s/he shall consult with the director of employee relations prior to rendering a decision. To the extent possible, an investigation will be conducted in a confidential manner.
4. If either party does not feel that the decision described in step three is satisfactory, s/he may appeal the decision to the Superintendent of Schools, not later than 10 working days following receipt of the third party's decision. This appeal must include:
  - The original complaint form (if one exists)
  - A copy of the decision from the third party
  - A written statement as to a reason for the appeal

The Superintendent shall have 14 work days to study the information submitted, investigate the circumstances and respond in writing to the appeal. At the discretion of the Superintendent, this appeal process may or may not include a conference with those parties involved. If the complaint is against the Superintendent, the third party shall be the president of the Board of Education and appeal shall be to the Board as a whole. If the Board chooses to have a conference with those involved, it may, at the discretion of the Board, be conducted as a hearing held in executive session pursuant to Board policy GBK-3-E, (Board Review/Appeal Proceedings). The president of the Board of Education may retain outside legal counsel to advise the Board and/or investigate the allegations.

- 5. If either party is not satisfied with this decision, s/he will have the right to pursue any other remedies provided by law

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**DISCRIMINATION/HARASSMENT COMPLAINT FORM**

**PAGE 1 OF 2**

Name

\_\_\_\_\_ Date \_\_\_\_\_

Address

\_\_\_\_\_  
Date(s) of incident(s) (specify a time period rather than a date, if appropriate; provide evidence in the form of documents, e-mails etc. if they exist)

\_\_\_\_\_  
Describe the incident(s) (include what, if anything, was done to indicate to the alleged offender that the conduct was unwelcome)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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Name(s) of person(s) involved in the incident(s) Name(s) of any witness(es) to incident(s)

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Name(s) of any witness(es) to incidents(s)

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**DISCRIMINATION/HARASSMENT COMPLAINT FORM**

**PAGE 2 OF 2**

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What resolution of this incident are you requesting?

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If necessary, please attach additional pages to provide a complete response

\_\_\_\_\_  
**Signature of person filing complaint**

### **Compliance Officer**

The District Compliance Officers are Damon Smith, Chief Personnel Officer (employees) or designee and Marcelina Rivera, Chief of Staff (all other complaints) or designee.

Damon Smith, Chief Personnel Officer (employees), 1085 Peoria Street, Aurora, CO 80011, phone : (303) 344-8060, [dsmith@aurorak12.org](mailto:dsmith@aurorak12.org), or designee and Marcelina Rivera, Chief of Staff (all other complaints), [15701 East 1<sup>st</sup> Avenue, Suite 206, Aurora, CO 80011](#), phone: (303) 344-8060, [mlrivera@aurorak12.org](mailto:mlrivera@aurorak12.org), or designee. If the designated individual is not qualified or is unable to act as such, the superintendent shall designate an administrator who shall serve until a successor is appointed.