



# **Denver Public Schools Employment Practice Manual**

**Updated: April 3, 2024**



**TABLE OF CONTENT**

<b>INTRODUCTION</b>	<b>1</b>
<b>DPS VALUES</b>	<b>2</b>
<b>DISTRICT-WIDE EXPECTATIONS</b>	<b>3</b>
NON-DISCRIMINATION	3
HARASSMENT	4
CONSENSUAL ROMANTIC OR SEXUAL RELATIONSHIPS	4
CONFIDENTIALITY	4
COMPUTER/TELECOMMUNICATIONS USE	4
REGULATORY COMPLIANCE	5
HEALTH, SAFETY, AND MANDATORY REPORTING	5
CONFLICT OF INTEREST	5
GIFTS	5
PROFESSIONALISM	5
DUTY TO NOTIFY OF ARREST OR CONVICTION	5
RETALIATION	5
QUESTIONS TO ASK YOURSELF	6
<b>EMPLOYMENT OPPORTUNITY AND NONDISCRIMINATION COMPLAINTS</b>	<b>6</b>
REPORTING DISCRIMINATION, HARASSMENT OR RETALIATION	6
<b>INTEGRITY HOTLINE AND INTEGRA REPORT</b>	<b>7</b>
REPORTING	7
RETALIATION	7
<b>BUSINESS, FISCAL AND LEGAL STANDARDS</b>	<b>8</b>
CONTRACTS	8
PHYSICAL PROPERTY AND INTELLECTUAL PROPERTY, INCLUDING DATA	9
FINANCIAL RECORDS AND FUNDING SOURCES	10
LEGAL REPRESENTATION OF DISTRICT EMPLOYEES	10
QUESTIONS TO ASK YOURSELF	10
<b>SOCIAL MEDIA</b>	<b>10</b>
QUESTIONS TO ASK YOURSELF	11
<b>EXTERNAL RELATIONS STANDARDS</b>	<b>12</b>
GOVERNMENT RELATIONS AND POLITICAL ACTIVITY	12
MEDIA RELATIONS	15
USE OF DISTRICT LOGO AND SEALS	15
QUESTIONS TO ASK YOURSELF	15
<b>TRAVEL, STAFF TRAINING, PROFESSIONAL DEVELOPMENT AND CONFERENCES</b>	<b>15</b>
<b>PROCEDURE: VOLUNTARY RESIGNATION OR RETIREMENTS</b>	<b>16</b>
NOTICE OF RESIGNATION	16
ACCEPTANCE OF RESIGNATION	17
RESCISSION OF RESIGNATION	17
ELIGIBILITY FOR REHIRE	17



<b>PROCEDURE: JOB ABANDONMENT</b>	<b>17</b>
PROCEDURES	18
<b>LEAVES OF ABSENCE</b>	<b>19</b>
POLICY STATEMENT	19
TYPES OF LEAVE	19
SICK LEAVE	19
PERSONAL LEAVE	19
FAMILY MEDICAL LEAVE	19
MILITARY LEAVE	19
PARENTAL LEAVE	19
BEREAVEMENT (FUNERAL) LEAVE	20
LEGAL PROCEEDINGS (INCLUDING JURY DUTY) LEAVE	21
PARENTAL INVOLVEMENT LEAVE	21
DOMESTIC ABUSE LEAVE	21
VOTING LEAVE	21
DISCRETIONARY LEAVE	21
SICK LEAVE BANK	21
PUBLIC HEALTH EMERGENCY LEAVE	21
LEAVE GUIDELINES	21
INITIATION OF LEAVE	21
VACATION, PERSONAL AND SICK LEAVE ACCRUAL	21
CONTINUED BENEFITS COVERAGE	22
RETURNING FROM LEAVE	22
WORKING WHILE ON LEAVE	22
USE OF ACCRUED TIME	22
<b>PROCEDURE: SICK LEAVE</b>	<b>22</b>
SICK LEAVE DEFINITIONS	24
FAMILY MEMBER	24
Cross Reference:	24
<b>PROCEDURE: PERSONAL LEAVE</b>	<b>24</b>
<b>PROCEDURE: FAMILY MEDICAL LEAVE</b>	<b>24</b>
PROCEDURE: FAMILY MEDICAL LEAVE	24
ELIGIBILITY	24
REQUEST FOR MEDICAL LEAVE	25
DISTRICT RESPONSIBILITIES	26
DESCRIPTION	26
JOB PROTECTION	26
BENEFITS CONTINUATION	27
SPOUSES WORKING FOR THE SAME EMPLOYER	27
FURTHER INFORMATION AND AVAILABLE FORMS	27
FAMILY MEDICAL LEAVE DEFINITIONS	27
CHILD	27
SPOUSE	27



PARENT	27
INTERMITTENT LEAVE	27
REDUCED-LEAVE SCHEDULE	27
SERIOUS HEALTH CONDITION	27
COVERED SERVICE MEMBER	28
ELIGIBLE EMPLOYEE FOR MILITARY MEDICAL LEAVE	28
CONTINUING TREATMENT BY HEALTH CARE PROVIDER	28
HEALTH CARE PROVIDER	29
<b>PROCEDURE: MILITARY LEAVE</b>	<b>29</b>
ELIGIBILITY	29
NOTIFICATION OF LEAVE	29
BENEFITS	30
REEMPLOYMENT	31
APPLICATION FOR REEMPLOYMENT	32
EXCEPTIONS TO REEMPLOYMENT	32
GENERAL BENEFITS UPON REEMPLOYMENT	32
DOCUMENTATION	32
<b>PROCEDURE: BEREAVEMENT (FUNERAL) LEAVE</b>	<b>33</b>
RELATIONSHIP: IMMEDIATE FAMILY MEMBER	33
RELATIONSHIP: OTHER FAMILY MEMBER	33
PAY	33
REQUESTING ADDITIONAL TIME OFF	34
SERVICE ANNOUNCEMENT OR PROGRAM	34
<b>PROCEDURE: LEGAL PROCEEDINGS (INCLUDING JURY DUTY) LEAVE</b>	<b>34</b>
POLICY STATEMENT	34
POLICY DETAILS	34
<b>PROCEDURE: PARENTAL INVOLVEMENT LEAVE</b>	<b>34</b>
LENGTH OF LEAVE	35
NOTICE REQUIREMENTS	35
<b>PROCEDURE: DOMESTIC ABUSE LEAVE</b>	<b>36</b>
DOMESTIC ABUSE LEAVE DEFINITIONS	36
FAMILY MEMBER	36
<b>PROCEDURE: VOTING LEAVE</b>	<b>36</b>
<b>PROCEDURE: DISCRETIONARY LEAVE</b>	<b>37</b>
<b>PROCEDURE: VACATIONS/HOLIDAYS</b>	<b>37</b>
<b>PROCEDURE: PUBLIC HEALTH EMERGENCY LEAVE</b>	<b>37</b>
ELIGIBILITY	38
CALCULATING PUBLIC HEALTH EMERGENCY LEAVE	39
REQUEST FOR PUBLIC HEALTH EMERGENCY LEAVE	41
INTERMITTENT LEAVE	41
FURTHER INFORMATION AND AVAILABLE FORMS	41
PUBLIC HEALTH EMERGENCY LEAVE DEFINITIONS	41
CHILD	41



FAMILY MEMBER	41
SCHOOL CLOSURE	41
INTERMITTENT LEAVE	41
REDUCED-LEAVE SCHEDULE	41
Cross Reference:	42
<b>PROCEDURE: SICK LEAVE BANK</b>	<b>42</b>
Cross Reference:	42
<b>PROCEDURE: AMERICANS WITH DISABILITY ACT (ADA) ACCOMODATIONS</b>	<b>42</b>
<b>PROCEDURE: RELIGIOUS ACCOMMODATION</b>	<b>43</b>
REQUESTING A RELIGIOUS ACCOMMODATION	43
<b>PROCEDURE: REASONABLE PREGNANCY ACCOMODATION AND PARENTAL LEAVE</b>	<b>45</b>
PROHIBITION OF DISCRIMINATION	45
REASONABLE PREGNANCY ACCOMMODATION PROCEDURE	45
LEAVE PROCEDURES	46
<b>FITNESS FOR DUTY/HEALTH EXAMINATIONS</b>	<b>46</b>
BUS DRIVERS' PHYSICAL EXAMINATIONS	46
FOOD SERVICE EMPLOYEE REQUIREMENTS	46
HEALTH EXAMINATIONS	47
READILY-TRANSMITTED COMMUNICABLE DISEASES	49
RETURN TO WORK	49
CONFIDENTIALITY	49
<b>WORKERS' COMPENSATION</b>	<b>49</b>
<b>IMMIGRATION OFFICIALS ACCESS TO DISTRICT PROPERTY AND STUDENT RECORDS</b>	<b>50</b>
COLLECTION OF STUDENT IMMIGRATION INFORMATION	50
IMMIGRATION OFFICIAL REQUEST FOR ACCESS TO DISTRICT PROPERTY OR STUDENTS OR TO REVIEW STUDENT EDUCATION RECORDS	51
<b>PERSONNEL RECORDS AND FILES</b>	<b>53</b>
<b>ATHLETIC COACHES</b>	<b>53</b>
<b>CONTRACTING WITH PERA RETIREES</b>	<b>54</b>
PERA RETIREE AS EMPLOYEE OF THE DISTRICT	54
PERA RETIREE AS INDEPENDENT CONTRACTOR WITH THE DISTRICT	55
EMPLOYMENT OF RETIREES AS INDEPENDENT CONTRACTORS	56
GENERAL PROVISIONS	57
<b>PROCEDURE: STAFF REDUCTIONS (NON-TEACHER)</b>	<b>57</b>
EMPLOYEE NOTIFICATION	57
<b>DISTRICT-WIDE CLOSURE AND WEATHER DELAY PROCEDURES FOR EMPLOYEES</b>	<b>59</b>
COMMUNICATION OF DISTRICT CLOSURE FOR EMPLOYEES	59
<b>DUTY TO NOTIFY OF ARREST, PENDING CHARGES OR CONVICTION</b>	<b>60</b>
ADMINISTRATIVE LEAVE	60
NOTIFICATION OF SUPERVISOR	61
<b>PROCEDURE: PARENT NOTIFICATION OF EMPLOYEE CRIMINAL CONDUCT</b>	<b>62</b>
DEFINITIONS:	62
PARENT NOTIFICATION:	62



<b>REFERENCE AND BACKGROUND CHECKS</b>	<b>63</b>
REFERENCE CHECKS	63
External Candidates	63
Internal Candidates	63
BACKGROUND CHECK	63
<b>PROCEDURE: ELIGIBILITY FOR REHIRE</b>	<b>65</b>
ELIGIBLE FOR REHIRE:	65
INELIGIBLE FOR REHIRE:	65
ELIGIBILITY FOR SUMMER ROLES	67
RECONSIDERATION OF ELIGIBILITY FOR REHIRE STATUS	67
Ineligible for Rehire	67
<b>TEACHER FAQ - "PORTING" NON-PROBATIONARY STATUS FROM ANOTHER DISTRICT</b>	<b>67</b>
<b>TEACHER FAQ - PROBATIONARY AND NON-PROBATIONARY STATUS</b>	<b>69</b>

## INTRODUCTION

The Denver Public Schools Employment Practice Manual (“Manual”) is intended to provide managers and employees with guidance around key HR practices. Employees and managers are expected to familiarize themselves and comply with [Administration policies](#) and the practices and expectations contained in this handbook.

All Administration Policies (e.g. AC) and Regulations (e.g. AC-R1) can be located on [Board Docs](#). This Manual does not include all the details from those Policies and Regulations, but is intended to help point employees in the right direction when they are looking for information.

In the event the language in the manual conflicts with provisions of a collective bargaining agreement or an innovation plan, the collective bargaining agreement or the innovation plan shall control. Language in this manual which is conflicting with a school or department handbook shall supersede the school/department-based handbook.

Neither this manual nor any other District document confers any contractual right, either express or implied, to remain in the District’s employ. Nor does it guarantee any fixed terms and conditions of your employment.



DENVER  
PUBLIC  
SCHOOLS

**Human Resources**  
Find. Grow. Magnify. Retain.

# WORKPLACE EXPECTATIONS AND GUIDELINES





## DPS VALUES

The standards contained in this Manual reflect Denver Public Schools' core values. DPS is committed to fostering, cultivating and preserving a culture of diversity, inclusion, and equity. We celebrate our diversity and will provide the necessary resources and supports to eliminate barriers to success and foster a more equitable future for all our community members, students, and employees. We are committed to being anti-racist and anti-ableist in our policies and in our actions. We work to advance equity and inclusion for our LGBTQ colleagues. In this work, we will break the historical patterns of inequity, not by accident, but by design. These values are essential and enduring tenets of our organization. A statement of these values affirms our collective commitment to not merely follow the law, but also to carry out our work with integrity, professionalism, and anti-racist and equitable practices. Please join us in making Denver Public Schools a Safe and Welcoming school district.

### DPS Values

**Students First:** We put our kids' needs at the forefront of everything we do.

**Integrity:** We tell the truth, and we keep our promises.

**Equity:** We celebrate our diversity and will provide the necessary resources and supports to eliminate barriers to success and foster a more equitable future for all our kids.

**Collaboration:** Together as a team, we think, we work, and we create in order to reach our goals.

**Accountability:** We take responsibility for our individual and collective commitments; we grow from success; we learn from failure.

**Fun:** We celebrate the joy in our work and foster in our students a joy and passion for learning to last their whole lives.

The purpose of the Manual is to ensure that all employees act in accordance with the values of the District. All employees are responsible and accountable for following the Manual and for using it to identify and respond to dilemmas regarding ethics, integrity, and/or equity. Consultation with your supervisor and other appropriate colleagues is appropriate and valued. Please also refer to relevant professional codes of conduct and DPS growth and development frameworks including LEAP, LEAD, and LIFT.

*The Manual includes "Questions to Ask Yourself" after each set of Standards. These questions are intended to be thought provoking and assist employees by providing examples of matters that they may face during employment with the District.*



## DISTRICT-WIDE EXPECTATIONS

The District affirms and values all members of its community and recognizes that each person contributes to the overall success of our vision -- assuring that every child succeeds, not by accident, but by design. Toward this vision, we ask the following of all Team DPS members:

- Commit to the work of dismantling racist and oppressive systems. Take ownership and responsibility for your learning and the impact of your actions, even if you do not intend to do harm.
- Engage with your colleagues professionally, respectfully, and inclusively. Managers and supervisors have an elevated responsibility to demonstrate these values and ensure that others within their schools and departments demonstrate them as well.
- Collaborate, because we cannot solve the hardest challenges without strong teams.

Engaging in behaviors that harass, intimidate, bully, threaten, or harm another member of the District community does not support a respectful and inclusive work environment and is prohibited.

## NON-DISCRIMINATION

The District encourages and respects diversity within the District community and does not allow discrimination on the basis of race, color, gender, sexual orientation, gender identity, transgender status, religion, national origin, immigration/citizenship status, ancestry, age, marital status, pregnancy status, veteran status, disability, or any other characteristic protected by law ("Protected Classes") in any activity or operation of the District. See [Administration Policies and Regulations AC, AC-R1, AC-R2, AC-R3, GBA, GBA-R1, GBA-R2, JB, JB-R1, and JB-R2](#). Board Policy AC is the District's overarching Policy regarding discrimination, harassment and Equal Opportunity. Regulation AC-R1 describes the Discrimination Prevention and Response (DPR) Process that the District uses to respond to concerns about discrimination, harassment, or retaliation. Due to new regulations effective August 2020, Title IX complaints regarding sexual harassment will be reviewed using the procedures in a new regulation AC-R3.

## HARASSMENT

The District affirms its dedication to foster a community that condemns all forms of discrimination or acts of intolerance including gender-based discrimination, sexual harassment, intimidation, and retaliation. See [Administration Policies and Regulations AC, AC-R1, AC-R2, AC-R3 \(Title IX Process\), GBA, GBA-R1, GBA-R2, JB, JB-R1, and JB-R2](#).

## CONSENSUAL ROMANTIC OR SEXUAL RELATIONSHIPS

The District strongly discourages romantic or sexual relationships between a manager or other supervisory employee and an employee who reports directly or indirectly to that person, because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions affecting the employee. Moreover, given the uneven balance of power within such relationships, consent by the staff member is suspect and may be viewed by others, or at a later date by the staff member, as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation, coercion or exploitation undermines the spirit of trust and mutual respect that is essential to a healthy work environment. If there is such a consensual relationship, the employees need to immediately notify their HR Partner because the reporting structure may need to be changed.



## CONFIDENTIALITY

District employees must respect and maintain the confidentiality of student education records and student personally identifiable information (“student PII”) in accordance with District policies and procedures, federal laws, and state regulations. District employees shall use such student education records and student PII for authorized purposes only. [See Administration Policies and Regulations JRA/JRC, JRA/JRC-R, JRCB, JRCB-R.](#) Unauthorized disclosure of this information is strictly prohibited and may lead to corrective action, including termination of employment.

In addition, District employees must respect and maintain the confidentiality of non-student personal identifying information (PII) obtained, created and/or maintained by the District in accordance with District policies and procedures, federal laws, and state regulations.

The District shall implement and maintain reasonable security procedures appropriate to the nature of the PII to protect against unauthorized access, use, modification, disclosure or destruction. The District shall require third parties that create, maintain and/or obtain PII to also maintain reasonable security procedures appropriate to the nature of the PII designed to protect against unauthorized access, use, modification, disclosure or destruction.

District employees and third parties are expected to safeguard and employ reasonable measures to ensure the security and confidentiality of all PII. District employees and third parties are prohibited from disclosing such information to any except to those who are authorized to access this disclosed information. Unauthorized disclosure of this information is strictly prohibited and may lead to corrective action, including termination of employment.

In the event of a security breach, as that term is defined by state law, the District shall conduct a prompt investigation to determine the likelihood that personal information has been or will be misused and notify those Colorado residents affected by the breach, the Colorado Attorney General's office and consumer reporting agencies, in accordance with the notification and timeline requirements of state law.

The District shall preserve records in accordance with Board Policy and applicable law. Following the applicable retention period, the District shall ensure that records containing PII are appropriately destroyed in such a manner as to make the PII unreadable or indecipherable by any means. [See Administration Policy EHB.](#)

## COMPUTER/TELECOMMUNICATIONS USE

The District's computer and telecommunication networks are District resources that are provided to employees, students and volunteers to allow them to carry out District functions. District employees and volunteers are responsible for the appropriate use of these resources and shall understand, support and abide by the policies concerning the ethical and responsible use of computers and electronic information. [See Administration Policy and Regulation EGAEA, EGAEA-R1.](#)

## REGULATORY COMPLIANCE

The District strives to ensure that it meets the highest possible standards where relevant federal, state, and local laws, regulations, and guidelines are concerned. District employees shall act ethically and in compliance with all relevant laws and guidelines, including engaging in ongoing monitoring of policies, procedures, and practices where necessary. If you are not sure about what is required in your specific work, we encourage you to connect with your supervisor.



## HEALTH, SAFETY, AND MANDATORY REPORTING

District employees are responsible for ensuring the health and safety of everyone within the workplace and school grounds; complying with all workplace safety and health regulations; and reporting unsafe conditions, equipment, or practices to appropriate District officials, as required by law. District employees are also legally required to file a report with the appropriate authorities if they have reasonable cause to know or suspect that a child has been subjected to abuse or neglect. Employees are required to complete mandatory reporter training by the designated deadline every year. [See Administration Policies and Regulations JLF, JLF-R, JLI.](#)

## CONFLICT OF INTEREST

District employees shall not engage in activities that will create an actual or perceived conflict of interest. Employees are prohibited from also serving as an independent contractor for the District. Where conflicts of interest or the appearance of a conflict of interest cannot be avoided, employees should be transparent about their existence and take proactive steps to manage them including formal disclosure to the employees' supervisors. Employees are expected to perform the duties of the position to which they are assigned and to observe rules of conduct and ethical principles established by state law and District policies and regulations. See Administration Policies [GBEA](#), [DJG](#).

## GIFTS

To avoid a conflict of interest or the appearance of a conflict of interest, District employees are generally prohibited from accepting gifts of other than nominal value. [See Administration Policy GBEB for details.](#)

- Prohibited gifts include additional payments, and/or contributions paid by third parties which are outside of the District's compensation structure, i.e, community incentives, recognition incentives, hiring incentives, bonuses etc.
- District employees who accept prohibited gifts may be subject to disciplinary action, up to and including termination.
- Candidates for District employment who have received an offer letter from the District and subsequently accept prohibited gifts may have their offer of employment rescinded.

## PROFESSIONALISM

District employees shall follow the professional standards and requirements that are applicable to each of the professions comprising the District community.

## DUTY TO NOTIFY OF ARREST OR CONVICTION

Any employee who is arrested for a criminal offense (for a misdemeanor or felony) shall notify their supervisor of such arrest no later than five calendar days after the arrest. Any employee on a leave of absence must report any arrest (for a misdemeanor or felony) and any subsequent disposition(s) (e.g., convictions, pleas of guilty or nolo contendere, and deferred or suspended sentences) to their supervisor prior to returning to work. For additional information, see "[Duty to Notify of Arrest or Conviction](#)" procedure below.

## RETALIATION

The District prohibits retaliation against an individual for raising a good-faith concern about or participating in a work-related investigation or legal proceeding. Retaliation occurs when a student, educator, or community member is subject to a hardship, loss, penalty, or any other adverse action in response to: filing or responding to a good-faith complaint, participating in the investigation of a

complaint, serving as an investigator of a complaint, appearing as a witness in a legal proceeding, or other similar action.

#### QUESTIONS TO ASK YOURSELF

- *Have I treated others as they wish to be treated?*
- *How are my actions impacting my colleagues? Am I aware of my white privilege, my biases, my use of micro- or macro-aggressions?*
- *Have I been willing to engage in hard conversations, for example regarding race and racism?*
- *Do I engage with humility and employ active listening in order to contribute to an inclusive culture on my team?*
- *Did I use a student, staff, or community member's preferred pronoun when speaking with them?*
- *Have I used my position to intimidate or isolate others?*
- *Do I frequently use my District telephone for personal phone calls?*
- *Do I use my contacts at the District to help my outside business?*
- *Do my outside professional activities create an appearance of a conflict of interest?*
- *Do I maintain appropriate professional relationships with students, colleagues, and parents?*
- *Have I used my position to gain employment for a family member?*
- *Even if I have access to certain records, do I have the authority to view them and/or distribute them to others?*
- *Do I protect the privacy of each student's academic record and personal information?*
- *Do I take shortcuts that create a safety hazard?*
- *If I have been offered a gift, is it of nominal value? Will the totality of the circumstances appear inappropriate to a reasonable person?*
- *Does the gift giver expect to be conferred some type of District benefit in exchange for the gift?*
- *As a staff member, should I accept a gift from a student? Should I be a paid tutor for one of my own students?*

*The Manual includes "Questions to Ask Yourself" after each set of Standards. These questions are intended to be thought provoking and assist employees by providing examples of matters that they may face during employment with the District.*



## EMPLOYMENT OPPORTUNITY AND NONDISCRIMINATION COMPLAINTS

### REPORTING DISCRIMINATION, HARASSMENT OR RETALIATION

An employee who believes that they have been a victim of or witness to discrimination, harassment or retaliation may make a complaint by:

- A. Submitting the District's External Discrimination Complaint Form online <https://dpsk12.info/DPRcomplaintform>; or
- B. Submitting the [District's External Discrimination Complaint Form](#) in hard copy or via email to the District Discrimination Prevention and Response Coordinator or Designee at [reportdiscrimination@dpsk12.org](mailto:reportdiscrimination@dpsk12.org); or
- C. Notifying a supervisor, school administrator, the Discrimination Prevention and Response Designee, or the District's Discrimination Prevention and Response Coordinator.

District Discrimination Prevention and Response and Title IX Coordinator  
Kristin Bailey, Equity and Safety Counsel  
Office of the General Counsel  
1860 Lincoln, Room 1230  
Denver, CO 80203  
(720) 423-3393  
[ReportDiscrimination@dpsk12.org](mailto:ReportDiscrimination@dpsk12.org)

For additional information on the Discrimination Prevention and Response (DPR) Process and how we respond to concerns of discrimination, harassment, or retaliation, including Title IX concerns, please see our [page](#).





## INTEGRITY HOTLINE AND INTEGRA REPORT

Employees should use the Integrity Hotline or submit an IntegraReport to report concerns pertaining to integrity, equity, professionalism or conflicts of interest.

An employee can complete a report anonymously or may leave their confidential contact information.

### REPORTING

An employee may make a complaint by:

- A. Submitting an Integra Report online  
<https://integraport.bkd.com/Lists/IntegraReporting/NewFormCust.aspx>; or  
Enter Subscriber Code: DPSK12
- B. Calling the Integrity Hotline 24 hours a day, seven days a week at (855) 858-3344.

You are not required to identify yourself when you contact the Integrity Hotline. However, keep in mind that maintaining anonymity may limit the District's ability to investigate and address your concerns.

### RETALIATION

The District prohibits retaliation against an individual for raising a good-faith concern about or participating in a work-related investigation or legal proceeding. Retaliation occurs when a student, educator, or community member is subject to a hardship, loss, penalty, or any other adverse action in response to: filing or responding to a good-faith complaint, participating in the investigation of a complaint, serving as an investigator of a complaint, appearing as a witness in a legal proceeding, or other similar action.



## BUSINESS, FISCAL AND LEGAL STANDARDS

The District adheres to established business standards in its conduct. District employees shall comply with all applicable federal, state, and local government laws and regulations and strive to follow ethical business practice standards. District employees shall endeavor to conduct all District business with honesty, integrity, accuracy and fairness. [See Administration Policies and Regulations DJ, DJA, DJA-R, DJB, DJD, DJE, DJG, DK, DK-R1 through R5](#) and [Acceptable Use Policy](#).

### CONTRACTS

- District employees shall make all purchasing decisions based on the best interests of and value to the District and the public. The District follows fair business practices in its contracting.
- The District recognizes the value of obtaining competitive bids when appropriate, maintaining independence, ascertaining the financial and legal status of vendors, and obtaining clear written agreements for services or goods to be purchased.
- District employees shall comply with all state guidelines regarding procurement activities and all laws relating to pricing, competition, and business arrangements.

### PHYSICAL PROPERTY AND INTELLECTUAL PROPERTY, INCLUDING DATA

- The District's property includes physical and intellectual property that is owned by the District but entrusted to individuals, schools, or departments within the District.
  - Examples include office and departmental equipment and supplies; vehicles; facilities; cash; reports and records, including billing records in department offices; computer software; electronic files and data; patents; trademarks; and service marks.
- District employees shall utilize such resources properly and protect property against loss, theft, misuse and waste.
- When using any form of intellectual property covered by copyright and license agreements, District employees will comply with copyright law and the terms of the license agreement under which the intellectual property was obtained.
  - Examples include books, journal articles, newspapers, images, audio, and video in physical or electronic form owned or borrowed by the District or the instructor.
- District employees agree and acknowledge that Denver Public Schools is the copyright owner of any work created by the employee within the employee's scope of employment at Denver Public Schools. This includes any work prepared by the employee as part of the employee's regular duties or any work incidental to the employee's job responsibilities. Employees must secure permission from Denver Public School's Office of General Counsel before using any copyright work owned by the District. Unauthorized use of the District's copyright work by employees is a violation of copyright law and District policies.





## FINANCIAL RECORDS AND FUNDING SOURCES

- The District understands that the federal and state governments constitute major funding sources for the District. As such, the District acknowledges responsibility for the stewardship of such funds, and District employees shall understand and comply with federal and state laws and regulations regarding such funds.
- District employees shall follow ethical business practices and act as good stewards of District funds and resources.
- District employees shall maintain accurate and timely financial records in accordance with the District's policies and generally accepted accounting principles. District employees shall use appropriate internal financial controls to safeguard assets and to ensure compliance with all internal and external accounting rules and regulations. District employees shall cooperate fully with internal and external auditors and regulatory agencies during examinations of all books and records and shall not alter or destroy any documents in anticipation of such reviews.
- District employees shall accurately account for their time and properly document when seeking reimbursement for work-related expenses.
- District employees shall charge and bill for services in accordance with applicable regulations and state and federal laws.
- District employees and contractors have a collective responsibility to understand all applicable regulations and federal and state laws governing the services the contractors are providing.

## LEGAL REPRESENTATION OF DISTRICT EMPLOYEES

- The District Office of General Counsel provides legal representation and advice to the District and the Board of Education.
- District employees who, in their professional capacity, require legal advice or representation related to issues or complaints should contact the Office of General Counsel.
- District employees who, in their personal capacity, require legal advice or representation may access legal resources through the Employee Assistance Program or contact a private attorney.

## QUESTIONS TO ASK YOURSELF

- *Did I document my work clearly, honestly, and accurately?*
- *When I sign a document do I understand what I am signing?*
- *Do I understand when the competitive bidding process must be used?*
- *Have I signed a contract without obtaining proper authorization?*
- *Am I wasteful of District supplies?*
- *Do I share my computer password with others?*

*The Manual includes "Questions to Ask Yourself" after each set of Standards. These questions are intended to be thought provoking and assist employees by providing examples of matters that they may face during employment with the District.*



## SOCIAL MEDIA

With the ever-evolving nature of the internet, it is important for all to maintain professionalism and online safety. [See Administration Regulation EGAEA-R-2.](#)

- Employees may not use their professional email address for personal social media activities.
- Employees must obtain their supervisor's approval prior to engaging in a professional social media presence, and professional social media communications must remain professional and appropriate. Employees maintain no expectation of privacy with respect to such communications.
- District employees shall not post confidential or proprietary information about students or staff on social media sites (personal or professional) without securing appropriate permission.
- The District encourages all employees to conduct themselves in a professional manner and refrain from posting inappropriate content on personal social media channels, particularly those that list Denver Public Schools as an employer. Threats, obscene or vulgar content, cyber bullying, racist or discriminatory statements, or any other conduct that puts the safety of schools or students at risk will not be tolerated.
- District employees shall not communicate with students who are currently enrolled in DPS through personal social media.
- Employees should use groups or pages for any professional social media contact with students or families instead of private/direct messages or texts.
- District employees shall maintain appropriate boundaries with students and shall not contact students via professional social media for purposes that are not related to school.

### QUESTIONS TO ASK YOURSELF

- *If I have listed DPS as an employer on my social media profiles that can be viewed by those in my school community, am I conducting myself in a positive and professional manner on my personal social media accounts?*
- *Have I secured all my social media accounts with strong passwords?*
- *How have I maintained clear boundaries for social media contact with students, families or guardians?*
- *Have I engaged in social media conduct that would be inappropriate in a classroom setting?*
- *Have I shared any personal or confidential information about students, parents, guardians or other employees via social media without their consent?*

- *Am I posting things on my personal social media that are disrupting my work environment or resulting in a loss of confidence or trust in my ability to perform my work?*

*The Manual includes “Questions to Ask Yourself” after each set of Standards. These questions are intended to be thought provoking and assist employees by providing examples of matters that they may face during employment with the District.*



## EXTERNAL RELATIONS STANDARDS

### GOVERNMENT RELATIONS AND POLITICAL ACTIVITY

- As a public entity, the District depends upon the support and trust of federal, state and local officials.
- District employees shall not make representations on behalf of the District without official authorization.
- District employees shall not engage in partisan political activities while on District time nor use District resources for the purposes of influencing an election related to a candidate or ballot measure.
- District employees shall adhere to federal and state laws, including Colorado's Fair Campaign Practices Act ("FCPA"), which provide guidance for the political activities of District employees.
- District employees shall not use or expend public funds or supplies in favor of or against any ballot issue or candidate.
- District employees shall not send campaign materials home with students or ask students to work on a campaign in favor of or against a ballot issue or candidate.
- District employees shall not allow or direct employees to assist directly or indirectly on a campaign during working hours. Work time includes any time that the employee is performing a duty at a school/department, school/department activity (e.g. football game, parent night), etc.
- District employees shall not use District printing and copying facilities, fax, email, District mailboxes, telephones, bulk mailing permits, or other District equipment or resources to advocate in favor of or against a ballot issue or candidate.
- District employees shall not provide transportation or advertising that utilizes public property or funds for the purpose of influencing, directly or indirectly, the passage or defeat of a ballot issue or candidate.
- District employees shall not grant an employee leave from their job or office with the District, with pay, to work on a campaign.
- District employees shall not collect money from colleagues at work in support of a candidate or ballot issue.
- District employees shall not distribute campaign literature at school, on district property or at District-sponsored activities or events.

- District employees shall not distribute or permit students, parents, or parent-school entities to distribute campaign materials or engage in campaign activities during the course of the regular school day within District buildings or at District-sponsored activities.
- District employees shall not wear t-shirts, campaign buttons, or display other such campaign materials during the course of the work day or at District-sponsored activities, or on District grounds that are related to a candidate or ballot initiative.
- District employees may respond to unsolicited questions regarding candidates or a ballot issue. The answer should give facts, if they are available, not opinion or speculation, and should not suggest a particular vote.
- District employees may work on a campaign and speak out on a ballot issue and candidate(s) on our own time, taking whatever steps are necessary to document that the effort is done on our own time.
- District employees may allow groups opposed to or supportive of a ballot issue and/or candidate(s) to use school facilities to discuss the issue consistent with DPS Policy and regulation KF, KF-R for community use of district facilities.
- District employees may sponsor appropriate debates on ballot issues and/or candidate(s).
- District employees may host a candidate forum to allow students to hear from candidates, ensuring that all candidates are invited and given an equal opportunity to present their views.
- District employees may permit groups to distribute campaign materials outside school buildings, or at school events or activities, in a manner approved by the principal which will not interfere with student safety or the educational environment. Generally, the distribution of campaign materials should be conducted off of school grounds so that student safety and the educational environment are not jeopardized. An equal opportunity should be provided to all candidates.

Note: under law, these restrictions apply to candidates and ballot measures. They do not apply to legislation and employees may advocate in their professional capacities on behalf of legislation that is consistent with the District's mission and values (e.g. increased funding in the School Finance Act). The Board of Education is also legally allowed to take a position on ballot measures when they act through Board Resolution.

#### **MEDIA RELATIONS**

- The District respects the individual freedom of staff to express their personal opinions on District actions and policies, while also recognizing that the District is responsible for coordinating official comment on all matters regarding the District.
- The District encourages employees to serve as members of community panels, boards, civic organizations, professional associations and other similar voluntary associations. An employee assuming such a role is not acting as a spokesperson of the District.

#### **USE OF DISTRICT LOGO AND SEALS**

- The District is responsible for establishing and maintaining the District's graphic standards, and specific standards apply to the use of the District's logos and seals.
- The District has legal rights regarding the use of its name, logos, seals, and protected trademarks.



#### QUESTIONS TO ASK YOURSELF

- *Am I engaging in partisan political activities related to a candidate or ballot measure on District time or using District resources?*
- *If I am hosting a candidate forum, have I given all candidates an equal opportunity to present their views?*
- *Have I directed candidates or groups wishing to use District facilities to DPS Policy KF and regulation KF-R?*
- *Have I referred media requests to the District?*
- *Should I talk “off the record” to a reporter?*
- *Should I speak on behalf of the District to government officials regarding District matters? Can I be identified as a District employee in my political or charitable activities?*
- *Do I maintain clear boundaries between my professional role and my personal activities that are unrelated to the District?*

*The Manual includes “Questions to Ask Yourself” after each set of Standards. These questions are intended to be thought provoking and assist employees by providing examples of matters that they may face during employment with the District.*

## TRAVEL, STAFF TRAINING, PROFESSIONAL DEVELOPMENT AND CONFERENCES

Attendance of staff members at appropriate meetings, conventions and conferences of national, state and local associations whose activities deal with education likely will benefit the school system as teachers, supervisors and administrators share with their counterparts from other school systems ideas and concepts of importance to the educational enterprise.

- Attendance by personnel at professional meetings shall be justified by meaningful guidelines or rationale for such attendance. Such guidelines or rationale may differ by department but shall be well defined and understood by appropriate personnel. Value to the school district shall be assessed against the cost to the district in terms of released time and substitute time as well as actual costs.
- Participation by an employee at a meeting, convention or clinic as a speaker, panelist, officer or participant shall be evaluated on the basis of value to the organization.
- Duplication of attendance at meetings shall be justified on the basis of the size and nature of the meeting and shall require advance assignment or selection of clinics, sections, etc. to be attended by each participant in order to ensure maximum coverage and benefit to the district.

[Administration Regulation DK-R1](#) sets forth District requirements for authorizing business travel, identifying travel related allowable charges, determining travel expenses eligible for reimbursement, and accomplishing the reimbursement process.



## PROCEDURE: VOLUNTARY RESIGNATION OR RETIREMENTS

### NOTICE OF RESIGNATION

For employees to leave DPS in good standing, they must provide a minimum two weeks' written notice of resignation or retirement prior to employment separation. Certain employees may have specific notice requirements outlined in their employment contracts or collective bargaining agreements and are expected to provide notice accordingly. Managers/supervisors in consultation with Human Resources can choose to waive the notice requirement.

For employees who do not work year round (e.g., those whose work year coincides with the academic year), voluntary resignations or retirements should be communicated to the employee's manager/supervisor prior to the end of the current work year – typically, July 31. Employees who will not complete any work in the new work year are not entitled to compensation or benefits after July 31. If an employee who will not complete any work in the new work year provides a notice of resignation with an effective date of August 1 or later, DPS retains the right to modify the effective date to July 31.

### ACCEPTANCE OF RESIGNATION

Managers/supervisors should confirm acceptance of employee resignations in writing as soon as possible. If an employee does not receive confirmation of acceptance of his or her resignation within three business days following the employee's submission of notice of resignation or retirement, the employee's resignation is deemed to have been accepted by the District.

### RESCISSION OF RESIGNATION

Employees will not be allowed to rescind a resignation, whether given verbally or in writing, once the resignation has been accepted by the District without written approval of Human Resources.

### ELIGIBILITY FOR REHIRE

Employees who do not provide sufficient notice may have their eligibility for rehire impacted.





## PROCEDURE: JOB ABANDONMENT

This policy provides assurance that the business of the District shall continue without undue interruption and allows limited yet reasonable unreported absence in the event of personal emergency.

### PROCEDURES

District employees are expected to report to work on time for every scheduled shift. Employees who are unable to report to work at the designated time must notify their supervisors as soon as possible, but no later than two hours before their scheduled start time, absent extenuating circumstances.

Employees who fail to report to work for three consecutive work days without notifying their supervisor of the absence will be deemed to have voluntarily resigned from the District as a result of job abandonment. An employee will also be deemed to have voluntarily resigned from the District as a result of job abandonment if the employee fails to return to work for three consecutive work days without notifying their supervisor of the reason for the absence following the expiration of any approved leave of absence, disciplinary suspension, or recall from layoff status.

If an employee is unable to contact their supervisor to report an absence, they should ask a representative (such as a family member or friend) to do so on the employee's behalf. If the employee or a representative is unable to contact the employee's supervisor due to extreme circumstances (such as a medical emergency or natural disaster that prohibits the employee or their representative from contacting the employee's supervisor within three work days), the employee or their representative must contact the employee's supervisor as soon as practicable. The District will consider any explanation provided by the employee or their representative before determining if the voluntary resignation will be upheld.

When an employee has abandoned their job, their employment with Denver Public Schools shall immediately be terminated. Such termination shall be considered a voluntary resignation and shall not be subject to Board of Education Policy GDQD, Superintendent Regulation GDQD-R, or any dismissal procedure identified in the employee's collective bargaining agreement. Employees who abandon their jobs may have their [eligibility for rehire](#) impacted.

This policy shall not be construed as prohibiting an employee from receiving corrective action for unreported absences of less than three consecutive work days.



DENVER  
PUBLIC  
SCHOOLS

**Human Resources**  
Find. Grow. Magnify. Retain.

## **LEAVES AND ACCOMMODATIONS**



## LEAVES OF ABSENCE

### POLICY STATEMENT

Denver Public Schools offers leaves of absence to enable employees to temporarily leave active service for covered purposes. Leaves of absence are available to protect the service of employees who wish to temporarily leave active service but plan to return to the District within the time specified by their leave of absence request.

**Please note:** These policies do not apply to an employee who is covered by a collective bargaining agreement that has alternative leave provisions.

### TYPES OF LEAVE

The District provides a variety of leave options, including the following:

#### SICK LEAVE

The District grants a certain number of paid days per year to employees to be used for the purpose of sick leave, depending on the work year and job classification.

#### PERSONAL LEAVE

The District grants a certain number of paid days per year to employees to be used for personal leave, depending on the work year and job classification.

#### FAMILY MEDICAL LEAVE

Pursuant to the Family Medical Leave Act, eligible District employees are entitled to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave.

#### MILITARY LEAVE

Pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), while a District employee is performing military service, they are deemed to be on a leave of absence and are entitled to non-seniority rights accorded other individuals on non-military leaves of absence.

#### PARENTAL LEAVE

An employee who is an expectant or new parent and is ineligible for leave under the FMLA is entitled to a total of up to eight weeks of unpaid parental leave for prenatal care or incapacity related to pregnancy, the birth of a child, and/or for physical recovery from childbirth, unless the provision of leave to the employee would be an undue hardship on the District.

#### BEREAVEMENT (FUNERAL) LEAVE

The District grants a certain number of unpaid days per year to employees to be used to handle matters related to a death in the family.

#### LEGAL PROCEEDINGS (INCLUDING JURY DUTY) LEAVE

The District provides paid leave to employees for jury duty or juror service and for testifying as a subpoenaed witness in a case related to employment at the District.



#### PARENTAL INVOLVEMENT LEAVE

Pursuant to the Parental Involvement in K-12 Education Act, eligible District employees are entitled to take a specified number of hours of unpaid, job-protected leave for attending academic activities.

#### DOMESTIC ABUSE LEAVE

Pursuant to C.R.S. 24-34-402.7, the District provides leave to eligible employees who are the targets of domestic violence or abuse.

#### VOTING LEAVE

Pursuant to C.R.S. 1-7-102, eligible employees may be entitled to leave work for a specified period for the purpose of voting.

#### DISCRETIONARY LEAVE

The District may provide unpaid leave to employees who are not eligible for another type of leave at the District's sole discretion.

#### SICK LEAVE BANK

The District provides eligible employees, who have exhausted all of their accumulated paid leave and would otherwise be on unpaid leave, sick leave bank as a means of obtaining additional paid sick days for the employee's own illness.

#### PUBLIC HEALTH EMERGENCY LEAVE

Pursuant to the Colorado Healthy Families and Workplaces Act, employees are entitled to take paid leave for certain public health-related reasons during a declared public health emergency.

### LEAVE GUIDELINES

#### INITIATION OF LEAVE

Human Resources must approve all leaves of absence. To initiate any type of leave, a Leave of Absence request must be submitted via employee self-service in [TruePay](#). If you have difficulty accessing the [TruePay](#) system or otherwise need assistance applying for a leave, please contact your direct supervisor. More information on how to submit a leave of absence can be found on [The Commons](#).

Certain leaves will require a medical certification and/or other supporting documentation.

#### VACATION, PERSONAL AND SICK LEAVE ACCRUAL

Vacation, personal and sick leave do not accrue while an employee is on an unpaid leave of absence.

Vacation, personal and sick leave do accrue when an employee is on a paid leave of absence. However, any leave that is accrued while on a paid leave cannot be used consecutively with the original leave.

#### CONTINUED BENEFITS COVERAGE

An employee on a leave of absence may continue coverage under the District-sponsored insurance program. If the employee is on an FMLA-qualified leave of absence, benefits will automatically be continued under the same terms and conditions as if the employee had not taken leave. Employees may pay for benefits while on leave. If no action is taken, any unpaid premiums will be collected on the first paycheck after returning to work. If the employee does not return and there are unpaid premiums, the District will work with a collections agency to recoup the employee's premiums.

Questions concerning continued benefits and premium payments may be referred to HR Connect (720) 423-3900.

#### **RETURNING FROM LEAVE**

In order to return to active service, an employee returning from a medical leave of absence must provide a return to work authorization from their physician.

Employees who fail to return to work on the agreed upon return date will be considered to have resigned effective on that date.

#### **WORKING WHILE ON LEAVE**

Employees are not authorized to work elsewhere while on a leave of absence.

#### **USE OF ACCRUED TIME**

Any accrued time in the form of sick, sick leave bank, personal, and vacation must be used prior to taking an unpaid leave of absence. The use of accrued leave runs concurrently with and does not extend the duration of the leave.



**PROCEDURE: SICK LEAVE**

The District will allow a certain number of paid days per year to employees to be used for the purpose of sick leave, depending on the work year and job classification.

Sick leave is to be used for absences when:

- The employee has a mental or physical illness, injury, or health condition which prevents them from working;
- The employee needs to obtain a medical diagnosis, care, or treatment for a mental or physical illness, injury, or health condition;
- The employee needs to obtain preventative medical care;
- The employee needs to care for a family member who (a) has a mental or physical illness, injury, or health condition; (b) needs to obtain a medical diagnosis, care, or treatment for a mental or physical illness, injury, or health condition; or (c) needs to obtain preventative medical care;
- The employee or the employee’s family member has been the target of domestic abuse, sexual assault, stalking, or harassment (see “[PROCEDURE: DOMESTIC ABUSE LEAVE](#)”);
- A public health emergency is declared and a public official orders closure of (a) the employee’s workplace; or (b) the school/care center the employee’s child attends, if the employee needs to care for their child as a result (see “[PROCEDURE: PUBLIC HEALTH EMERGENCY LEAVE](#)”);
- The employee experiences the death of a family member or friend (see “[PROCEDURE: BEREAVEMENT LEAVE](#)”).

Unused sick leave shall be accumulated from year to year. Employees who use sick leave for purposes other than those described in this manual may be subject to corrective action, including termination of employment.

Qualified employees may be paid out for a portion of unused sick leave upon resignation from the District if they also retire from PERA within 60 days of resignation or if they are eligible to retire with PERA but choose to delay retirement. However, any employee who does not leave the District in good standing is not eligible for a payout of unused sick leave. Payouts are determined by bargaining unit contracts at time of retirement. If an employee transfers to a part-time status or leaves the bargaining unit, they may lose their eligibility for a sick leave payout.

If an employee qualifies for FMLA, ADA and/or any other type of job-protected leave, then the employee will be reinstated into their position at the end of sick leave. If an employee does not qualify for job-protected leave, the District may, in its sole discretion, attempt to reinstate an employee who wants to return to work after taking sick leave, but the District cannot guarantee reinstatement.

**SICK LEAVE DEFINITIONS**

Please refer to the table below for a list of sick leave words and phrases and their definitions.

**FAMILY MEMBER**

An immediate family member related by blood, marriage, civil union, or adoption; a minor for whom the employee stands in loco parentis; any person who stood in loco parentis for the employee when the employee was a minor; and a person for whom the employee is responsible for providing health or safety-related care.

**Cross Reference:**

[PROCEDURE: BEREAVEMENT LEAVE](#)



DENVER  
PUBLIC  
SCHOOLS

**Human Resources**  
Find. Grow. Magnify. Retain.

[PROCEDURE: DOMESTIC ABUSE LEAVE](#)

[PROCEDURE: PUBLIC HEALTH EMERGENCY LEAVE](#)



PROCEDURE: PERSONAL LEAVE

The District will allow a certain number of paid days per year to employees, depending on the [work year](#) and job classification, for personal leave.

Personal leave may be granted by the direct supervisor for personal reasons including but not limited to: family or business transactions, graduation of a family member, religious holidays, legal transactions, parent-teacher conferences, or an unforeseen emergency.

Unused portions of such leave for personal reasons shall not accumulate from year-to-year but will be converted to sick leave on an annual basis.





## PROCEDURE: FAMILY MEDICAL LEAVE

### PROCEDURE: FAMILY MEDICAL LEAVE

Pursuant to the Family Medical Leave Act, eligible District employees are entitled to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. FML runs concurrently with all applicable forms of paid and unpaid leave. An absence of three days or more will trigger DPS and employee obligations under FMLA.

### ELIGIBILITY

In order to be eligible for FML, an employee must have been employed for at least 12 cumulative months during the last seven years and must have worked for at least 1,250 hours during the 12-month period prior to the requested leave. The 12 months during which the employee must have been employed do not have to be consecutive. FML may be taken for up to a total of 12 weeks within a rolling 12-month period.

FML may be taken for the following reasons:

- The birth of a child and to care for the newborn child within one year of birth;
- The placement of a child with an employee for a adoption or foster care and to care for the newly placed child within one year of placement;
- To care for the employee's spouse, child, or parent who has a serious health condition;
- The employee's serious health condition makes the employee unable to perform the essential functions of their job.

In addition, FML may be taken for up to a total of 26 weeks for any qualifying exigency arising out of the fact that the employee's spouse, child, parent, or next of kin, including, but not limited to care for an ill or injured service member or covered veteran.

During the leave period, the position is typically held for the employee's return.

*Note: The use and interpretation of the word "family" as stated herein is applicable only to the "Family and Medical Leave" segments of this handbook.*

### REQUEST FOR MEDICAL LEAVE

- Employees requesting parental, adoption or foster leave should provide their school/department with no less than 30 days' notice prior to the date on which the leave is to begin – except in cases in which the date of a birth, adoption or foster placement requires the leave to begin earlier than the 30 day notice. In such cases employees are expected to provide such notice as soon as practical.
- Employees requesting illness and/or injury leaves or leaves to care for seriously ill family members should make a reasonable effort to schedule treatment so as not to unduly disrupt school/department operations. Such leaves are also subject to the approval of a healthcare provider. If at all practical, the employee should provide at least 30 days' notice prior to the date on which the leave is to begin.
- Any time an employee is eligible for family medical leave and the reason for the absence qualifies for family medical leave; the time will be attributed to family medical leave even if another leave is running concurrently.
- The Request for Leave of Absence should be submitted to Human Resources using the online request a leave process through [TruePay](#).

If you have difficulty accessing the [TruePay System](#) or otherwise need assistance applying for a leave, please contact your direct supervisor.

#### DISTRICT RESPONSIBILITIES

Once the District becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the District must notify the employee if they are eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the District must provide a reason for ineligibility.

The District must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against the District.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

#### DESCRIPTION

- Family Medical Leave may not exceed 12 weeks within a 12-month period.
- Military Family Leave may not exceed 26 weeks within a 12-month period.
- "Intermittent Leave" is understood as time off in increments shorter than 12 consecutive weeks.
  - Intermittent leave may be taken when medically necessary to care for a seriously ill family member, or because of the employee's serious health condition.
  - Intermittent leave may not be taken for the care of a newborn or newly placed adopted or foster care child.
  - Employees needing intermittent/reduced schedule leave for foreseeable medical treatment must work with their manager to schedule the leave so as not to unduly disrupt the District's operations. In such cases, the employee may be transferred to an alternative position with equivalent pay and benefits, that accommodates recurring periods of leave better than the employee's regular job.

#### JOB PROTECTION

When an employee returns to work, they will be restored to their position or an equivalent one, subject to the provisions of the Family and Medical Leave Act. An equivalent position is one with the same pay grade, benefits, work schedule, proximate geographic location, and other terms and conditions of employment. This does not apply if the employee's employment would have otherwise been terminated had they not taken family/medical leave, such as lay off or disciplinary termination.

#### BENEFITS CONTINUATION

The District will continue to pay the employer's share of the cost of health care premiums during the FMLA leave period (12 or 26 weeks).

The employee should contact HR Connect at (720) 423-3900 to determine the procedure for payment of their share under group insurance plans should they go on unpaid status.

#### SPOUSES WORKING FOR THE SAME EMPLOYER

Eligible spouses who work for the same employer are limited to a combined total of 12 workweeks of leave in a 12-month period for the following FMLA-qualifying reasons:

- The birth of a child and bonding with the newborn child,
- The placement of a child with the employee for adoption or foster care and bonding with the newly-placed child, and
- The care of a parent with a serious health condition.

#### FURTHER INFORMATION AND AVAILABLE FORMS

Please contact HR Connect (720) 423-3900 or visit the [Leave of Absence website](#) for detailed information on forms.

#### FAMILY MEDICAL LEAVE DEFINITIONS

Please refer to the table below for a list of FMLA words and phrases and their definitions.

##### CHILD

A biological, adopted, legal ward, foster-care, step-child, or child of a person standing in loco parentis ("in place of a parent") who is either under 18 years of age or is 18 years of age or older and incapable of self-care because of a mental or physical disability at the time the leave is to commence. (Note: There is no requirement that the child live with the employee or be a legal dependent of the employee.)

##### SPOUSE

A partner in a marriage, civil union, domestic partnership or common-law marriage.

##### PARENT

A biological parent, adoptive parent, stepparent, foster parent, or an individual who stands in loco parentis to a child.

##### INTERMITTENT LEAVE

Leave taken in separate blocks of time due to a single illness or injury as opposed to a leave taken in one continuous period of time. "Intermittent Leaves" may be taken in hours, days, or weeks. Intermittent leave may not be taken for the care of a newborn or newly placed adopted or foster care child.

##### REDUCED-LEAVE SCHEDULE

A leave schedule that reduces an employee's regularly scheduled number of working hours per workweek or workday.

##### SERIOUS HEALTH CONDITION

An illness, injury, impairment, or a physical or mental condition resulting in either:

A period of incapacity or treatment in connection with or consequent to inpatient care in a hospital, hospice, or residential medical care facility; or a period of incapacity of more than three consecutive calendar days that involves subsequent or continuing treatment by or under the supervision of a health care provider.

Note: A chronic health condition also qualifies as a serious health condition even if an employee or family member does not receive treatment and if it does not last three days (for example: asthma or severe morning sickness).

Caution: Unless complications arise, ailments such as the common cold, the flu, ear aches, upset stomachs, minor ulcers, and headaches (other than migraines) are not considered as serious health conditions and do not qualify for FML.

#### COVERED SERVICE MEMBER

A service member who is recovering from a serious illness or injury sustained in the line of duty on covered activity duty.

#### ELIGIBLE EMPLOYEE FOR MILITARY MEDICAL LEAVE

Spouse, child, parent, or next of kin of covered service member.

#### CONTINUING TREATMENT BY HEALTH CARE PROVIDER

A serious health condition involving continuing treatment by a health care provider who must provide:

Treatment two or more times or treatment on at least one occasion that results in a regimen of continuing treatments under the health care provider's supervision.

Pregnancy or prenatal care. This treatment qualifies the employee even if they do not receive treatment and even if their care does not last three days.

Treatment for a chronic health condition that requires periodic visits for treatment, treatment that continues over an extended period of time, or treatment for episodic rather than continuing incapacities (for example: asthma, diabetes, and epilepsy).

Treatment for a permanent or long-term condition for which such treatment may not be effective (for example: Alzheimer's, severe stroke, or the terminal stages of a disease).

Treatment either for restorative surgery after an accident or injury or for a condition that would likely result in an incapacity of three or more days if not treated (for example: cancer, severe arthritis, or kidney disease).

Treatment for allergies or mental illnesses resulting from stress (but only if these conditions meet all of the other criteria of a serious health condition).

Treatment for substance abuse. (Note: Absences due to an employee member's use of a substance rather than treatment for addiction do not qualify for FML).

#### HEALTH CARE PROVIDER

A doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the state in which the doctor practices. For example, this may also include podiatrists; dentists; clinical psychologists; optometrists; chiropractors (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by an x-ray as existing); nurse practitioners and nurse-midwives who are authorized and are performing under the scope of their practice as defined under state law; clinical social workers; and Christian Science

practitioners listed with the First Church of Christ, Scientist in Boston, Massachusetts (any additional certification may be required).

Also included in this category are health care providers who practice outside of the United States and any other health care providers from whom the District-group health care benefits manager will accept as certified for treating serious health conditions that warrant benefit claims.



## PROCEDURE: MILITARY LEAVE

### ELIGIBILITY

The District is committed to protecting the job rights of employees absent on military leave. Military leaves of absence will be provided to employees in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and applicable Colorado laws that protect individuals with military commitments from detrimental employment decisions based on those commitments. Military leaves of absence may be paid or unpaid leaves in accordance with the provisions of this policy.

### NOTIFICATION OF LEAVE

Unless military necessity prevents it, or is otherwise impossible or unreasonable, an employee should provide the District with notice of the need for leave as far in advance as is reasonable under the circumstances. Written notice is preferred, but not required under the law or this policy.

To request a temporary or extended military leave of absence, the employee should complete a request for leave of absence in [TruePay](#).

If you have difficulty accessing the [TruePay](#) system or otherwise need assistance applying for a leave, please contact your direct supervisor.

Human Resources will review the request, collect any applicable insurance premiums from the employee, generate other applicable documents, and process accordingly.

Employees on temporary or extended military leave may, at their option, use any or all accrued paid vacation or personal leave during their absence.

When the employee intends to return to work, they must make an application for reemployment to Human Resources within the application period set forth below.

If the employee does not return to work, the supervisor must notify Human Resources so that appropriate action may be taken.

### BENEFITS

If an employee is absent from work due to military service, benefits will continue as follows:

An employee on extended military leave may elect to continue group health insurance coverage for the employee and covered dependents under the same terms and conditions for a period not to exceed 31 days from the date the military leave of absence begins. The employee must pay, per pay period, the premium normally paid by the employee. After the initial 31 day period, the employee and covered dependents can continue group health insurance up to 24 months at 102% of the overall (both employer and employee) premium rate.

The group term life/AD&D insurance provided by the District will terminate the day the employee becomes active military.

The group long-term disability insurance provided by the District will terminate the day the employee becomes active military.



Employees do not accrue vacation, personal leave or sick leave while on military leave of absence status.

With respect to the District retirement plan, upon reemployment, employees who have taken military leave will be credited for purposes of vesting with the time spent in military service and will be treated as not having incurred a break in service. Immediately upon reemployment, the employee may, at the employee's election, make any or all employee contributions that the employee would have been eligible to make had the employee's employment not been interrupted by military service. Such contributions must be made within a period that begins with the employee's reemployment and that is not greater in duration than three times the length of the employee's military service. Employees will receive all associated district matches for such contributions.

Voluntary supplemental life/AD&D insurance will terminate the day the employee becomes active military. Converting to an individual policy may continue voluntary dependent life insurance coverage. To exercise this conversion option, dependents must submit a written application and the first premium payment within 31 days immediately following the termination of coverage.

## REEMPLOYMENT

Upon an employee's prompt application for reemployment (as defined below), an employee will be reinstated to employment in the following manner depending upon the employee's period of military service:

Less than 91 days of military service - (i) in a position that the employee would have attained if employment had not been interrupted by military service; or (ii) if found not qualified for such position after reasonable efforts by the District, in the position in which the employee had been employed prior to military service.

More than 90 days and less than 5 years of military service - (i) in a position that the employee would have attained if employment had not been interrupted by military service or a position of like seniority, status and pay, the duties of which the employee is qualified to perform; or (ii) if proved not qualified after reasonable efforts by the District, in the position the employee left, or a position of like seniority, status and pay, the duties of which the employee is qualified to perform.

Employee with a service-connected disability - if after reasonable accommodation efforts by the employer, an employee with a service-connected disability is not qualified for employment in the position they would have attained or in the position that they left, the employee will be employed in (i) any other position of similar seniority, status and pay for which the employee is qualified or could become qualified with reasonable efforts by the District; or (ii) if no such position exists, in the nearest approximation consistent with the circumstances of the employee's situation.

## APPLICATION FOR REEMPLOYMENT

An employee who has engaged in military service must, in order to be entitled to the reemployment rights set forth above, submit an application for reemployment according to the following schedule:

- A. If service is less than 31 days (or for the purpose of taking an examination to determine fitness for service) - the employee must report for reemployment at the beginning of the first full regularly scheduled working period on the first calendar day following completion of service and the expiration of eight hours after a time for safe transportation back to the employee's residence.



- B. If service is for 31 days or more but less than 181 days - the employee must submit an application for reemployment with Human Resources no later than 14 days following the completion of service.
- C. If service is over 180 days - the employee must submit an application for reemployment with Human Resources no later than 90 days following the completion of service.
- D. If the employee is hospitalized or convalescing from a service-connected injury - the employee must submit an application for reemployment with Human Resources no later than two years following completion of service.

#### EXCEPTIONS TO REEMPLOYMENT

In addition to the employee's failure to apply for reemployment in a timely manner, an employee is not entitled to reinstatement as described above if any of the following conditions exist:

- A. The District's circumstances have so changed as to make reemployment impossible or unreasonable.
- B. Reemployment would pose an undue hardship upon the District.
- C. The employee's employment prior to the military service was merely for a brief, non-recurrent period and there was no reasonable expectation that the employment would have continued indefinitely or for a significant period.
- D. The employee did not receive an honorable discharge from military service.

#### GENERAL BENEFITS UPON REEMPLOYMENT

Employees reemployed following military leave will receive seniority and other benefits determined by seniority that the employee had at the beginning of the military leave, plus any additional seniority and benefits the employee would have attained, with reasonable certainty, had the individual remained continuously employed. An employee's time spent on active military duty will be counted toward their eligibility for FMLA leave once they return to their job at the District. Additionally, upon reemployment, a covered employee will not be discharged except for cause for up to one year following reemployment.

#### DOCUMENTATION

An employee's manager will, upon the employee's reapplication for employment, request that the employee provide the District with military discharge documentation to establish the timeliness of the application for reemployment, the duration of the military service, and the honorable discharge from the military service.





## PROCEDURE: BEREAVEMENT (FUNERAL) LEAVE

Denver Public Schools provides between three to five days off to employees to handle matters related to a death in the family. The amount of time provided is based on relationship to the family member. The leave is unpaid but employees may use accrued leave for salary continuation as outlined below.

### RELATIONSHIP: IMMEDIATE FAMILY MEMBER

*(spouse, domestic partner, child/stepchild, parent/stepparent, brother/stepbrother, or sister/stepsister)*

- Any missed workdays (up to 40 hours) that happen to fall within five consecutive calendar days of the death or funeral of immediate family members may be used as Bereavement Leave.
- A maximum of five consecutive calendar days may be taken at the employee's convenience as long as one of the days includes either the day of death or the day of the funeral.

Note: For purposes of this policy, "child" also includes an adopted child and a child for whom the employee was a legal guardian.

### RELATIONSHIP: OTHER FAMILY MEMBER

*(grandparent, great-grandparent, grandchild, parent-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law or uncle/aunt)*

- Any missed workdays (up to 24 hours) that happen to fall within three consecutive calendar days of the death or funeral of other family members may be used as Bereavement Leave.
- A maximum of three consecutive calendar days may be taken at the employee's convenience as long as one of the days includes either the day of death or the day of the funeral.

### PAY

- Bereavement Leave will be unpaid but employees may elect to use their accrued sick, personal or vacation leave (in that order) for salary continuation purposes during the leave.
- Should the death of a family member occur while the employee is on a scheduled vacation, the employee should immediately notify their supervisor so that necessary time off (up to the maximums stated above) may be counted as Bereavement Leave.
- In the event that a Bereavement Leave day falls on a designated holiday, the holiday overrides the Bereavement Leave day.

### REQUESTING ADDITIONAL TIME OFF

- Should additional time off be necessary for an employee to attend the funeral, such additional time off may be requested either as vacation or personal time or as time off without pay.
- Such requests should be arranged with the employee's supervisor who will try to accommodate the request.

### SERVICE ANNOUNCEMENT OR PROGRAM

- To verify the relationship of the deceased to the employee, a funeral program or obituary may be required by the employee's supervisor.



## PROCEDURE: LEGAL PROCEEDINGS (INCLUDING JURY DUTY) LEAVE

### POLICY STATEMENT

Denver Public Schools provides paid leave to employees for jury duty service. Additionally, employees subpoenaed as witnesses in cases related to employment at the District will be provided paid leave. Unless otherwise agreed by the supervisor, employees shall take vacation or personal leave, if available, or leave without pay for leaves attributable to subpoenas unrelated to employment. Upon return to work the employee must present proof of jury duty or subpoenaed-appearance service including dates of service.

### POLICY DETAILS

Legal proceedings (including jury duty) Leave should be approved immediately upon an employee's submission of an authentic summons, employment-related subpoena, or notice to a supervisor.

Pay for each day of jury duty will be made at the employee's current rate of pay for a regularly scheduled workday. Employees who are on jury duty and are scheduled for work a night shift on the same workday should be protected from loss of pay for the entire 24-hour period.

All fees received for such service during regular working days shall be turned in to Treasury Services in the Department of Finance for the School District.

Employees who are subpoenaed for court appearances as witnesses in cases related to employment at the District should not suffer loss of pay for performing any such duties. Proof of appearance must be submitted to the supervisor upon completion of such service. Employees who are subpoenaed for court appearance unrelated to employment will need to use vacation or personal leave or take the day as unpaid.

Upon return to work the employee must present proof of jury duty or subpoenaed appearance service (including dates of service).



## PROCEDURE: PARENTAL INVOLVEMENT LEAVE

An employee is eligible for parental involvement leave if they work in a non-executive or non-supervisory capacity and are the parent or legal guardian of a child enrolled in either public or private school grades K-12 or certain non-public home-based educational programs.

An eligible employee may request leave for the following academic activities:

1. Parent-teacher conferences;
2. Meetings about special education services;
3. Response to intervention;
4. Dropout prevention;
5. Attendance;
6. Truancy; or
7. Disciplinary issues.

An eligible employee must use accrued paid leave (e.g., personal or vacation days) to attend academic activities for school-aged children. Employees who have exhausted their accrued paid leave may take unpaid leave. Paid and unpaid leave is granted at the discretion of the employee's supervisor.

### LENGTH OF LEAVE

Eligible employees may take up to a maximum of 18 hours in an academic year to attend such activities. Eligible part-time employees may take leave on a prorated basis (e.g., if the employee is a 0.5 FTE then they would be eligible for 9 hours of Parental Leave in an academic year). Eligible employees may not take more than six (6) hours of leave in any one-month period.

### NOTICE REQUIREMENTS

If the necessity for the leave is foreseeable, an employee is required to provide at least one calendar week's advance notice of the need for leave. If requested by their supervisor, employees may need to provide written verification of the academic activity from the school or school district.

In emergencies, employees are required to provide notice and written verification from the school as soon as possible after learning of the need for leave. Employees are required to make a reasonable attempt to schedule academic activities outside regular work hours.

Supervisors have the right to limit the ability of an employee to take Parental Involvement Leave in cases of emergency or in other situations where the employee taking leave may endanger a person's health or safety or in a situation where the absence of the employee would result in a halt of service or production.



## PROCEDURE: DOMESTIC ABUSE LEAVE

The District provides leave to employees who are the targets of domestic violence or abuse, stalking, sexual assault, or a crime found by the court to include an act of domestic violence. Employees must be employed for at least 12 months preceding the leave. Upon reasonable advance notice (except in cases of imminent danger to the health or safety of an employee), an employee may take up to three working days of leave in any 12-month period. The 12-month period will be measured forward from the date the first domestic violence leave begins.

Employees must use the leave to:

- Seek a civil protection order to prevent domestic abuse
- Obtain medical care or mental health counseling for the employee or for the employee's family member to address physical or psychological injuries resulting from the domestic abuse, stalking, sexual assault, harassment or other crime involving domestic violence
- Make the employee's home secure or seek new housing due to domestic abuse, stalking, sexual assault, harassment or other crime involving domestic violence
- Seek legal assistance; attend and prepare for court-related proceedings arising from domestic violence acts

Employees must contact Human Resources to request leave. The District requires appropriate documentation to approve leave, which may include police reports, court orders, confirmation of court appearances, or documentation from medical and other professionals.

### DOMESTIC ABUSE LEAVE DEFINITIONS

Please refer to the table below for a list of domestic abuse leave words and phrases and their definitions.

#### FAMILY MEMBER

An immediate family related by blood, marriage, civil union, or adoption; a minor for whom the employee stands in loco parentis; any person who stood in loco parentis for the employee when the employee was a minor; and a person for whom the employee is responsible for providing health or safety-related care.

## PROCEDURE: VOTING LEAVE

The District complies with applicable laws regarding registered voters' right to vote.

During each state and national election, each regular full-time employee who is (1) a registered voter for that election and (2) whose work schedule on an election day means the employee will not have at least three hours outside of work to vote in that election is allowed up to two hours of paid time on Election Day to vote.

Employees are encouraged to vote before or after work, but, if it is necessary to use work time, the time to vote must be taken at the beginning or the end of the workday. Employees should give their supervisors as much advance notice as possible if they will miss any work time to vote.

## PROCEDURE: DISCRETIONARY LEAVE

Employees who are not eligible for another type of leave may submit a written request for an unpaid discretionary leave of absence to their supervisors.

The District will consider such requests on a case-by-case basis. Subject to applicable law and the requirements of any applicable insurance plan, the District may, in its sole discretion, choose not to continue health insurance and other benefits to any employees while on an unpaid discretionary leave of absence.

Although the District may, in its sole discretion, attempt to reinstate an employee who wants to return to work after an unpaid discretionary leave of absence, the District cannot guarantee reinstatement.



PROCEDURE: VACATIONS/HOLIDAYS

Vacation time is accrued monthly depending on work assignment and [work year calendar](#). Information regarding your accrued vacation time is available in the [TruePay](#) system. Your direct supervisor must approve any request for use of vacation time.



## PROCEDURE: PUBLIC HEALTH EMERGENCY LEAVE

Pursuant to the Colorado Healthy Families and Workplaces Act (HFWA), effective January 1, 2021, employees are entitled to take paid leave for certain public health-related reasons during a declared public health emergency.

### ELIGIBILITY

Public health emergency leave under the HFWA is available from the date that a public health emergency is declared by the governor or a federal, state, or local public health agency and will continue until 4 weeks after that emergency is terminated (the “Emergency Period”). Employees are only entitled to public health emergency leave once during the Emergency Period, even if the public health emergency is extended, suspended and later reinstated, etc.

Public health emergency leave may be taken for the following purposes:

- Self-isolate and care for themselves following diagnosis of communicable illness that causes the emergency;
- Self-isolate and care for themselves while experiencing symptoms of communicable illness that causes the emergency;
- Seek medical diagnoses, care, or treatment for themselves following diagnosis of communicable illness that causes the emergency;
- Seek preventative care concerning a communicable illness that causes the emergency;
- Care for a family member subject to any of the circumstances described above;
- Provide childcare to a child or family member whose school or childcare center has been closed due to a public health emergency; or
- Any period of leave made necessary by the employee’s health condition which increases risk from communicable illness that is the cause of a public health emergency.

### CALCULATING PUBLIC HEALTH EMERGENCY LEAVE

Eligible District employees are entitled to up to eighty (80) hours paid leave which can be used for the health emergency purposes listed above. Full-time employees will receive eighty (80) hours of health emergency leave. Part-time employees will receive the number of hours that they work on average over a two-week period up to a maximum of eighty (80) hours.

Accrued, available leave -- including sick, personal and vacation -- count toward the public health emergency leave entitlement. For example, a full-time employee has a total of forty (40) hours of accrued leave when a public health emergency is declared. The employee requests eighty (80) hours of public health emergency leave. The employee is entitled to use all forty (40) hours of accrued leave and an additional forty (40) hours of public health emergency leave.

Public health emergency leave will be paid at the District employee’s regular rate of pay, excluding overtime premiums and performance-based bonuses.

### REQUEST FOR PUBLIC HEALTH EMERGENCY LEAVE

- Employees requesting public health emergency leave should provide their school/department with no less than 30 days’ notice prior to the date on which the leave is to begin – except in cases in which the need for leave cannot be determined in advance. In such cases employees are expected to provide such notice as soon as practical.
- Any time an employee is eligible for family medical leave and the reason for the public health emergency leave qualifies for family medical leave; the time will be attributed to family medical leave even if another leave is running concurrently.



- The Request for Leave of Absence should be submitted to Human Resources using the online request a leave process in True Pay.

If you have difficulty accessing the [TruePay](#) or otherwise need assistance applying for a leave, please contact the District Leaves Department ([LeaveofAbsence@dpsk12.org](mailto:LeaveofAbsence@dpsk12.org); (720) 423-3092).

#### INTERMITTENT LEAVE

Intermittent leave may be taken only with the written consent of the District's Leave Department and the employee's school leader or direct supervisor.

#### FURTHER INFORMATION AND AVAILABLE FORMS

Please contact HR Connect (720) 423-3900 or visit the [Leave of Absence website](#) for detailed information on forms.

#### PUBLIC HEALTH EMERGENCY LEAVE DEFINITIONS

Please refer to the table below for a list of public health emergency leave words and phrases and their definitions.

##### CHILD

A biological, adopted, legal ward, foster-care, step-child, or child of a person standing in loco parentis ("in place of a parent") who is either under 18 years of age or is 18 years of age or older and incapable of self-care because of a mental or physical disability at the time the leave is to commence.

##### FAMILY MEMBER

An immediate family related by blood, marriage, civil union, or adoption; a minor for whom the employee stands in loco parentis; any person who stood in loco parentis for the employee when the employee was a minor; and a person for whom the employee is responsible for providing health or safety-related care.

##### SCHOOL CLOSURE

A school or place of care shall be deemed closed for purposes of emergency paid sick leave if the physical location of the school or place of care is closed, even if the school or place of care remains open for remote instruction.

##### INTERMITTENT LEAVE

Leave taken in separate blocks of time due to a public health emergency related need as opposed to a leave taken in one continuous period of time. "Intermittent Leaves" may be taken in hours, days, or weeks.

##### REDUCED-LEAVE SCHEDULE

A leave schedule that reduces an employee's regularly scheduled number of working hours per workweek or workday.

#### Cross Reference:

[PROCEDURE: SICK LEAVE](#)

[PROCEDURE: PERSONAL LEAVE](#)

[PROCEDURE: SICK LEAVE BAN](#)



## PROCEDURE: SICK LEAVE BANK

District employees established the sick leave bank (SLB) out of a desire to assist fellow colleagues who were in need due to illness or injury. All benefits-eligible DPS employees working 20 hours or more who accrue sick time will be eligible for 40 days of SLB prorated by their FTE. All eligible employees will be auto-enrolled in SLB. The SLB will continue under the guidelines and procedures developed and administered by the Benefits Board, and approved by the District and the participating employee associations.

SLB may be used for:

- Absences of five (5) or more consecutive full days to recover from the employee's own mental or physical illness, injury, or health condition which prevents them from working; or
- Other absences of five (5) or more consecutive full days related to a Public Health Emergency (see Procedure: Public Health Emergency Leave) if approved in advance by the Leaves Department.

SLB may not be used for (not an exhaustive list):

- Absences of less than four (4) consecutive full days for any reason;
- Absences of four (4) or more consecutive full days related to the employee's own elective surgery; or
- Absences of four (4) or more consecutive full days to care for a family member who (a) has a mental or physical illness, injury, or health condition; (b) needs to obtain a medical diagnosis, care, or treatment for a mental or physical illness, injury, or health condition; or (c) needs to obtain preventative medical care.

All members will have a maximum of 40 sick leave days available for use, per year. For employees working less than 1.0 FTE, the 40 days will be prorated by the FTE at time of leave. Sick leave bank will take effect on the first day of the month following the new employee's official start.

SLB days are not eligible for sick leave bank payout upon resignation from the District and retirement from PERA

Cross Reference:

[PROCEDURE: PUBLIC HEALTH EMERGENCY LEAVE](#)

[Sick Leave Bank Guidelines and Procedures](#)



## PROCEDURE: AMERICANS WITH DISABILITY ACT (ADA) ACCOMODATIONS

The Americans with Disabilities Act (ADA) protects individuals with disabilities from discrimination in the workplace. The ADA makes it unlawful for any employer to discriminate against a qualified individual because of a disability in any employment practices, such as, recruiting, hiring, firing, pay, promotions, and all other employment-related activities. The ADA also requires that employers provide an employee with a disability any reasonable accommodation(s) needed by the employee to perform the essential functions of their job.

DPS provides reasonable accommodations needed to perform essential functions of a job. To request an accommodation please visit our [ADA website](#) found on [TheCommons](#).



## PROCEDURE: RELIGIOUS ACCOMMODATION

The District respects the religious beliefs of all employees and will, on request, provide reasonable accommodation for religious observances, practices, and beliefs when an accommodation is available that does not create an undue hardship on the District.

### REQUESTING A RELIGIOUS ACCOMMODATION

An employee who seeks a religious accommodation must submit a written request for an accommodation to their immediate supervisor and their school/department's assigned HR Partner. The written request shall include a statement regarding how the employee's religious practices conflict with their job or work schedule, the District's policy or practice on dress and appearance, or other aspects of employment; and the employee's suggested accommodation.

The employee's immediate supervisor will evaluate the request and consider:

- Whether a work conflict exists due to a sincerely held religious belief or practice; and
- Whether a reasonable accommodation is available that would not create an undue hardship on the District.

After evaluating the request, the immediate supervisor shall meet with the employee to discuss the requested accommodation. If the employee's immediate supervisor concludes that the requested accommodation is reasonable and would not create an undue hardship on the District, the supervisor shall implement the requested accommodation.

If the employee's immediate supervisor concludes that the requested accommodation is unreasonable or would create an undue hardship on the District, the supervisor shall inform the employee that the requested accommodation will not be implemented. However, if an alternative reasonable accommodation is available that would not create an undue hardship on the District, the employee's supervisor shall offer to implement the alternative accommodation.

If the employee's supervisor declines to implement the employee's requested accommodation, the employee may appeal the supervisor's decision in accordance with [Administration Policy GBA](#) and [Administration Regulation GBA-R-1](#).



## PROCEDURE: REASONABLE PREGNANCY ACCOMODATION AND PARENTAL LEAVE

The District has implemented this procedure to prohibit discrimination on the basis of pregnancy and provide reasonable accommodation for conditions related to pregnancy and childbirth to enable an applicant or employee to perform the essential functions of her job. This procedure will also enable expectant and new parents who are ineligible for leave under the Family Medical Leave Act (“the FMLA”) to take time off for prenatal care or incapacity related to pregnancy, the birth of a child, and/or for physical recovery from childbirth.

### PROHIBITION OF DISCRIMINATION

The District shall:

1. Not take adverse action against an applicant or employee who requests or uses a reasonable accommodation related to pregnancy, physical recovery from childbirth, or a related condition;
2. Not deny employment opportunities to an applicant or employee based on the need to make a reasonable accommodation related to the applicant's or employee's pregnancy, physical recovery from childbirth, or a related condition;
3. Not require an applicant or employee affected by pregnancy, physical recovery from childbirth, or a related condition to accept an accommodation that the applicant or employee chooses not to accept, if the employee or applicant has not requested an accommodation or the accommodation is unnecessary for the applicant or employee to perform the essential functions of the job; and
4. Not require an employee to take leave if the employer can provide another reasonable accommodation for the employee's pregnancy, physical recovery from childbirth, or related condition.

### REASONABLE PREGNANCY ACCOMMODATION PROCEDURE

Upon request, the District shall provide reasonable accommodation to an applicant or employee for a health condition related to pregnancy or physical recovery from childbirth to enable the applicant or employee to perform the essential functions of her job. The District shall provide reasonable accommodation unless the provision of the requested accommodation would be an undue hardship on the District. It shall be the applicant's or employee's responsibility to inform their hiring manager or supervisor of the need for an accommodation and to provide the hiring manager or supervisor with sufficient information to support the need for the accommodation requested.

Once the applicant or employee has requested an accommodation and submitted any supporting documentation requested by the District, the hiring manager or supervisor shall engage in a timely, good-faith, and interactive process with the employee to determine effective, reasonable accommodations. The hiring manager or supervisor shall then determine whether the District can provide the applicant or employee with reasonable accommodation and whether the requested accommodation would be an undue hardship on the District.

An applicant or employee may appeal the denial of a requested accommodation in accordance with the procedure in [Administration Regulation AC-R2](#).

### LEAVE PROCEDURES

An employee who is an expectant or new parent and is ineligible for leave under the FMLA is entitled to a total of up to eight weeks of unpaid parental leave for prenatal care or incapacity related to pregnancy, the birth of a child, and/or for physical recovery from childbirth, unless the provision of leave to the employee would be an undue hardship on the District.

Employees requesting parental leave in accordance with this Procedure must provide their school/department with no less than 30 days advance notice prior to the date on which the leave is to begin, except in cases in which 30 days notice is not practicable, due to of a lack of knowledge of approximately when the leave will be required to begin, a change in circumstances, or a medical emergency. In cases in which 30 days notice is not practicable, notice must be given as soon as practicable.

When an employee returns to work, they will be restored to their position or to an equivalent position. An equivalent position is one with the same pay grade, benefits, work schedule, proximate geographic location, and other terms and conditions of employment. An employee will not be restored to their position or to an equivalent position if their employment would have otherwise been terminated had they not taken parental leave, such as in the event of a lay off or disciplinary termination.

Non-FMLA-eligible employees who wish to request more than eight weeks of parental leave may do so in accordance with the above [Reasonable Pregnancy Accommodation Procedure](#) or [Administration Regulation AC-R2](#), if applicable.



DENVER  
PUBLIC  
SCHOOLS

**Human Resources**  
Find. Grow. Magnify. Retain.

**WORKPLACE HEALTH AND SAFETY**



## FITNESS FOR DUTY/HEALTH EXAMINATIONS

Under the following circumstances, the District 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.

### BUS DRIVERS' PHYSICAL EXAMINATIONS

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

### FOOD SERVICE EMPLOYEE REQUIREMENTS

Food service employees shall conform to and meet all minimum rules and regulations of the City and County of Denver governing the sanitation of restaurants. A valid food handler's card shall be required.

### HEALTH EXAMINATIONS

The District reserves the right to require physical or mental status examinations of any District employee:

- When there is a need to determine whether an employee is able to perform the essential functions of their job.
- As may be required to determine the necessity or feasibility of reasonable accommodations for a disability.
- As may be necessary periodically to comply with fitness for duty or monitoring requirements imposed by law.
- If there is reason to believe that an employee's health interferes with the ability of the employee to perform the essential functions of their job or is likely to interfere with the safety or health of students, the employee, other employees, or community members.

The administrator in charge of the employee's department shall make the request for such an examination in writing with specific reasons for the request. The request shall be sent to the HR Partner assigned to the school or department who will forward the request to the appropriate HR representative and, if appropriate, request Employee and Labor Relations to arrange for the examination. Any costs for consultative services shall be borne by the District.

### READILY-TRANSMITTED COMMUNICABLE DISEASES

Management of common communicable diseases will be in accordance with Colorado Department of Public Health and Environment or local public health department guidelines.

An employee with an acute, common communicable disease shall not report to work during the period of time when contagious/infectious. Additionally, an employee who exhibits symptoms of a readily-transmissible communicable disease may be temporarily sent home if, based on medical advice or best practice, such restriction is necessary for the welfare of the employee who has the communicable disease and/or the welfare of others within the workplace. The District reserves the right to require a physician's statement prior to the employee's return to work.



An employee diagnosed with a serious, readily-transmissible disease or condition is 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.

#### RETURN TO WORK

If an employee has been absent from work due to a health condition, an appointment shall be made with employee health services before returning to work.

#### CONFIDENTIALITY

In all instances, District personnel shall respect the individual's right to privacy and shall treat any medical diagnosis as confidential information. Results of all physical or mental examinations shall be treated as confidential records by the District and shall be maintained separate from District personnel records.

## WORKERS' COMPENSATION

The District complies with Colorado requirements for the provision of workers' compensation related injuries or illnesses arising out of or in the course and scope of employment. This can include lost wages and medical treatment.

Employees who sustain a work related injury or illness should comply with the reporting requirements posted on the District's Risk Management page under Workers' Compensation. For incidents that occur outside of Colorado, employees should contact the Risk Management Department. A link to that page, reporting instructions, and other helpful information may be found on the DPS Risk Management [webpage](#).

Effective August 1, 2022, the District discontinued its Workers' Compensation Wage Continuation Policy giving qualified employees who have sustained a work related injury or illness to continue to receive full salary and benefits for up to four months from the date of work related injury or illness. Pursuant to the Colorado Workers' Compensation Act, qualified employees may be eligible for either Temporary Total or Temporary Partial Disability benefits for lost wages.

In the event the language in this section conflicts with provisions of a collective bargaining agreement, the collective bargaining agreement shall control



DENVER  
PUBLIC  
SCHOOLS

**Human Resources**  
Find. Grow. Magnify. Retain.

## **ADDITIONAL DISTRICT **POLICIES** AND PROCEDURES**



## IMMIGRATION OFFICIALS ACCESS TO DISTRICT PROPERTY AND STUDENT RECORDS

For purposes of this procedure, an “Immigration Official” is an employee of U.S. Immigration and Customs Enforcement or an individual acting on behalf of U.S. Immigration and Customs Enforcement and/or on behalf of any other state or federal agency conducting immigration-related activities.

### COLLECTION OF STUDENT IMMIGRATION INFORMATION

Employees shall not collect any information about student immigration status. District employees who become aware of a student’s immigration status through the performance of their duties for the District shall maintain the confidentiality of that information and shall not share that information with Immigration Officials unless required by law.

### IMMIGRATION OFFICIAL REQUEST FOR ACCESS TO DISTRICT PROPERTY OR STUDENTS OR TO REVIEW STUDENT EDUCATION RECORDS

Upon receipt of a request from an Immigration Official: (a) for entry into any District school or other District property, (b) to communicate with any student while that student is under the supervision of the District during any school activity or while using District transportation, or (c) for any information about a DPS student or students, all District employees shall immediately forward the request to the District’s Office of the General Counsel.

In responding to such requests, the District’s Office of the General Counsel will not provide access to District property or students or share information unless required by law and will do everything in the District’s lawful power to protect the constitutional and legal rights of the District’s students. District employees shall not share any information with Immigration Officials unless the District’s Office of the General Counsel has specifically authorized the release of the requested information. Immigration Officials shall generally not be granted access to District property or students without a valid search warrant or exigent circumstances.



## PERSONNEL RECORDS AND FILES

The District will develop and implement a comprehensive and efficient system of personnel records under the following guidelines:

1. A personnel file for each employee shall be accurately maintained by Human Resources. 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. Personnel files shall not be open for public inspection. The superintendent and their designees shall take the necessary steps to safeguard against unauthorized use of all confidential material.
3. Each employee shall have the right, upon request, to review the contents of their own personnel file, with the exception of professional references and recommendations provided to the District on a confidential basis by universities, colleges or individuals.
4. The following information in personnel records and files shall be available for public inspection:
  - a. Applications of past or current employees
  - b. Employment agreements
  - c. Any amount paid or benefit provided associated with to termination of employment
  - d. Performance ratings except for teacher evaluations as noted below
  - e. Any compensation including expense allowances and benefits



## ATHLETIC COACHES

High school athletic coaches shall be assigned annually to coaching duties, which shall be in addition to teaching duties. The principal or school leader shall inform each assigned coach of the fact that the seasonal assignment is for one school year only. All assignments shall carry the written recommendation of the teaching school principal, if applicable, the coaching school principal, and the department of athletics and student activities. The department of human resources shall make all final decisions regarding assignment of coaches.

Coaches shall not receive any pay, gift or other remuneration for teaching or coaching other than the stipulated contract salary or pay scale agreed upon by the Board of Education.

Athletic coaches may be selected and assigned coaching duties for one or more three-month periods, i.e., September through November, December through February, and/or March through May. Remuneration shall be on a monthly basis.

All coaches shall report for duty on the opening practice dates of their respective sports as set by the Colorado High School Activities Association. In addition, coaches shall attend required meetings and meet all terms and conditions established by the athletic board of control.

## CONTRACTING WITH PERA RETIREES

The District may employ and/or contract with PERA retirees based upon their expertise to perform certain job functions and the critical needs of the District to retain qualified persons to carry out certain tasks. Under Colorado law, certain restrictions exist regarding the amount of hours that a retiree can work without penalizing their retirement income.

The District may elect to either employ a retiree according to the restrictions regarding the amount of hours that a retiree can work without penalizing their retirement income or can enter into a contract with a retiree as an independent contractor.

### PERA RETIREE AS EMPLOYEE OF THE DISTRICT

If the District employs a retiree according to the restrictions regarding the amount of hours that a retiree can work without penalizing their retirement income, it is the ultimate responsibility of the employee to ensure that the employee is working according to the restrictions and that the employee is not jeopardizing their retirement income.

### **Current Statutory Maximums for the Employment of Retirees without Penalty of Retirement Benefits**

- A. Pursuant to Colorado law, retirees may be employed by the District Pursuant to the following statutory parameters:
  1. Employment for full days and half days does not exceed one hundred ten (110) days during the calendar year; and
  2. Hourly employment does not exceed seven hundred twenty hours during the calendar year; and
  3. Employment consisting of a combination of full-day, half-day, and hourly employment does not exceed one hundred ten (110) full days per calendar year.

### PERA RETIREE AS INDEPENDENT CONTRACTOR WITH THE DISTRICT

If the District enters into a contract with a retiree as an independent contractor, the following guidelines will apply. The District will only approve independent contractor agreements if it is in the interest of the District to retain retirees to fill a position. It is not the amount of hours worked that will determine whether or not a retiree qualifies for an independent contractor agreement. Retention of former employees under these circumstances is founded upon the premise that a retiree can perform a specialized and/or critical job function for the District, usually for a temporary period of time until a permanent employee is hired. Therefore, independent contractors may or may not exceed the statutory hourly/daily maximums. This employment relationship is not based upon a continuing relationship between a former worker and the District but rather the provision of services much like outside vendors, paid advisors or consultants would provide the District.

### EMPLOYMENT OF RETIREES AS INDEPENDENT CONTRACTORS

The Board of Education may approve the employment of a retiree as an independent contractor under the following four criteria.

1. A critical need job function has been identified by a cabinet level administrator that requires certain specialized expertise or knowledge; and
2. A retired individual has the specific skills to perform the critical need function; and



3. The proposed job function is contemplated to exceed current statutory maximums; and
4. The employment of the retiree has been recommended/approved by the Superintendent.

The following procedures shall be utilized by all District personnel seeking to retain a retired employee as an independent contractor:

1. District employees who support the hiring of a retiree under this section shall address a memorandum to the Superintendent requesting the individual be employed.
2. The Superintendent and/or their designee shall consider and approve the District employee's request and, when appropriate, approve the contract.

In relation to employment of individuals under this section, the following criteria shall apply to all [Independent Contractor Agreements](#):

1. All such independent contractor agreements shall relate that the individual is an independent contractor and not an employee of the District for any purpose. No fringe benefits will be given to said individual.
2. No independent contractor agreement shall be entered into by the District which exceeds one year.
3. In order for an individual to qualify as an independent contractor, it is necessary to meet certain Internal Revenue Service rules and guidelines. These guidelines are found in IRS Revenue Ruling 87-41 and the IRS looks to them for guidance in connection with its definition determinations to determine whether or not any individual is or is not an "employee" for taxation purposes. The combination of these factors is generally called the common law test. The common law test is specifically and consistently used to determine employee status in connection with FUTA and FICA taxes, as well as in federal income tax withholding.
  - a. The District can exercise little or no control over the contractor or their methodology for performing delegated job functions.
  - b. The contractor must possess unique skills which require an ability or a degree of independent judgment to be exercised.
  - c. The contractor will determine where the services are to be performed and the hours necessary to complete the job function, not the District.
  - d. The contractor is not subject to control by the Board of Education or the Superintendent. However, the District has the authority to terminate the independent contractor agreement pursuant to District standards or as may be determined pursuant to each individual agreement.
  - e. The contractor must be paid by the job function or task completion but generally this can be calculated on an hourly basis.
  - f. The contractor's employment should be considered to be temporary and usually for a defined period and/or the completion of a specific job function.
  - g. The contractor has the sole authority to determine whether or not to employ other individuals to aid in the completion of work for which the contractor was hired.
  - h. Finally, the contractor must not perform functions which are "substantially similar" to functions performed by current employees of the District.

Independent contractors may not undertake certain actions that employees for the District would normally perform. Examples include the inability to perform appraisals on employees, the inability to sign payroll or execute some departmental manager responsibilities, or enter into contracts with other third parties that would bind the District.



Independent contractor agreements under this section may be with an individual who has created a limited liability company (LLC). In all circumstances, the independent contractor or the entity created by an individual shall be responsible for the payment of the following taxes and costs, and the District shall receive evidence that such taxes are being paid by the individual or entity.

- a. Federal Insurance Contributions Act (FICA).
- b. Federal Unemployment Tax Act (FUTA).
- c. Colorado State Unemployment Compensation Taxes.
- d. Colorado State Workers Compensation Costs.
- e. Any applicable local taxes depending upon the location where the individual resides or the work is performed.

The Superintendent shall develop specific procedures for use by District personnel to implement this policy.

#### GENERAL PROVISIONS

All employment and/or contracting of retirees under this section, shall be recommended by the appropriate cabinet level administrator and approved by the Superintendent.



**PROCEDURE: STAFF REDUCTIONS (NON-TEACHER)**

A reduction in force (RIF) is defined as a separation from employment due to lack of funds, lack of work, redesign or elimination of position(s), or reorganization. A RIF may be necessary or appropriate when there is a redesign or elimination of work, redundancy in roles, or excess capacity within a work group or across work groups, such that it would be economically feasible and responsible to reduce the number of employees in a school or department.

When a school or department becomes aware there may be a need for a reduction of staff, the supervisor should contact their assigned Human Resources Partner (“HR Partner”), who will guide the school or department in assessing options and developing a plan for implementing the reduction.

**EMPLOYEE NOTIFICATION**

As a best practice, employees will generally be given at least 30 calendar days' notice that their positions are going to be eliminated. When implementing a reduction, in some situations, it is in the best interests of the employee or the department that the notice period is a non-working notice period. This decision should be made in consultation with the assigned HR Partner. The employee should be informed, during notification, whether the notice period will be working or non-working (or some of both). For a non-working notice period, the employee shall be placed on paid leave.

When a reduction is necessary, the HR Partner should assist the supervisor with providing the impacted employee(s) with written notification regarding the position elimination and should ensure all details regarding the reduction (i.e. last day worked, last day on the payroll, benefits information, etc.) are included in the notification. The notice period begins the day of notification.

Under certain collective bargaining agreements, the notice requirements and specific reduction procedures may vary. Bargaining unit employees should consult their collective bargaining agreements for the specific reduction procedures that apply to them. Please consult with your HR Partner for more information.

Cross Reference:

**ATU** - Article 6 - Layoffs, Recalls and Transfers.

**ABGW** - Article 21 - Reduction in Force

**CWA** - Article 20 - Reduction in Force

**DAEOP** - Article 6 - Reduction in Force

**DCTA** - Article 13 - Assignment, Schedules and Transfer

**DFPNSE (Paras)** - Article 22 - Staff Reduction

**FMA** - Article 27 - Reduction in Force

**CFSSP** - Article 20 - Staff Reduction

**VTF** - Article 33 - Reduction in Force



DISTRICT-WIDE CLOSURE AND WEATHER DELAY PROCEDURES FOR EMPLOYEES

To ensure that District staff have a safe work environment, and that all departments work together to maintain safety for all, the following procedures clarify work schedules and pay methods for District employees during District-wide closures.

COMMUNICATION OF DISTRICT CLOSURE FOR EMPLOYEES

- 1) It is each employee's responsibility to seek out District closure status. To facilitate this, the following communication methods will be utilized:
a) The Superintendent or designee will determine if the District will be closed due to emergency reasons, such as snowstorms, tornados, floods or other reasons.
b) In the case of District closure, the central District phone center message will be updated daily by 5 am to reflect District closure information. The phone number is (720) 423-3200.
c) The District website will be updated by 5 am to reflect District closure. The website can be accessed from any computer or smart phone with an internet connection at www.dpsk12.org.
d) Communication to Employees: Employees will be notified of District closure in the following methods, in the order described:
i) Departments that have established protocols will communicate to all department employees using established procedures which have been communicated to all department employees.
ii) If they are unsure of the District closure status, all other District employees are expected to contact the central District phone center message. The phone number is (720) 423-3200.
iii) Employees may also log on to the District website at www.dpsk12.org for updated District closure information.
e) The local media (TV, radio, newspaper) is a secondary point of communication for District employees; however, the information provided by the media is not to be used by employees to determine the District closure status. The official District closure status will be communicated as identified in 1a - 1d above.
2) Designated Emergency/Essential Employees: It may be necessary for specific departments to designate emergency and/or essential employees who will be required to report to work in the case of District closure.
a) Employees designated as emergency or essential will be covered by the policies and procedures published by management and approved by the Superintendent or designee.
b) All designated emergency or essential employees will be notified of their designation by their management in a timely manner. If any changes occur in their designation, they will receive notification from their management in a timely manner.
3) Pay Procedures:

DESIGNATED EMERGENCY OR ESSENTIAL EMPLOYEES

(Employees who are required to report to work during District closure)

Table with 3 columns: Employee Classification, Report to Work, Failure to Report to Work. Row 1: Exempt Employees, Paid for normal work hours / Do not receive additional pay, Charged with a personal day, if available, or a vacation day, if available.



		available, or unpaid leave
Non-exempt employees	<p>Paid according to department procedures, as communicated to employees, or per negotiated agreements.</p> <p>OVERTIME: Employees who report to work and who work more than 40 hours in the week in which the closure occurs will receive overtime pay, according to department procedures, as communicated to employees.</p>	<p>Charged with a personal day, if available, or a vacation day, if available, or unpaid leave</p> <p>OVERTIME: The district closure day(s) will not count towards the 40 hour work week for overtime calculation purposes.</p>

**EMPLOYEES WHO ARE NOT DESIGNATED AS EMERGENCY OR ESSENTIAL**

(Employees who are not expected or required to report to work during District closure, unless designated essential by manager or supervisor)

Employee Classification	Pay Procedures
Daily Substitutes (includes all teacher and classified substitutes)	Not paid
Other employees who are paid by the hour (includes retirees)	Hourly employees who are scheduled to work on the day of a District-wide closure will be compensated up to a maximum of three days per school year; this will not apply if make-up days are scheduled later in the pay period.
Exempt and non-exempt employees paid on a Work Year basis (for example, but not limited to 200, 207, 212, 223, 235 days, etc.)	<p>Paid normal hours.</p> <p>OVERTIME: The district closure day(s) will not count towards the 40 hour work week for overtime calculation purposes.</p>

**EMPLOYEES ON PREARRANGED LEAVE**

(Includes vacation, medical/sick, personal and general)

All employees	Will be charged with the leave time as prearranged. This includes vacation, medical or sick, personal and general leave, as well as other leaves covered by negotiated labor agreements.
---------------	--



## DUTY TO NOTIFY OF ARREST, PENDING CHARGES OR CONVICTION

### ADMINISTRATIVE LEAVE

The arrest or pending charges for criminal offenses of an employee, whether on- or off-duty, may result in the employee being placed on administrative leave until such time as the case has been adjudicated by the courts and/or investigated by DPS. The administrative leave may be with or without pay depending on:

- Whether the charge occurred as a result of the employee discharging their duties.
- The nature and severity of the charge.
- Whether there are specific legal requirements which require that the administrative leave be paid.

Employees may be required to provide relevant documentation (e.g., case dispositions, police reports, written explanations, etc.) and must provide requested information within the timeframe specified by the Office of Talent. Failure to provide requested information in the timeframe provided may result in corrective action up to and including termination.

If an employee is convicted of a criminal offense while employed at DPS, they may be subject to corrective action up to and including termination and, if terminated, may be ineligible for rehire. The ultimate disposition of the issue will depend upon the nature of the offense and the employee's work duties. Termination or corrective action taken must be supported by available information coming from witnesses, police, or court records. All actions taken under this policy should be in consultation with the assigned HR Partner and the Executive Director of Employee and Labor Relations.

### NOTIFICATION OF SUPERVISOR

An employee's criminal misconduct may necessitate corrective action against the employee and/or require the District to notify students' parents of an arrest and case disposition in accordance with state law.

Any employee who is arrested or charged for a criminal offense (for a misdemeanor or felony) shall notify their supervisor of such arrest or pending charge no later than five (5) calendar days after the arrest or upon receiving notification of pending charges. Any employee on a leave of absence must report any arrest or pending charges (for a misdemeanor or felony) and any subsequent disposition(s) (e.g., convictions, pleas of guilty or nolo contendere, and deferred or suspended sentences) to their supervisor prior to returning to work.

Following the arrest or pending charges for criminal offenses, the employee must inform their supervisor of the final disposition of the case (e.g., conviction, pleas of guilty and nolo contendere, deferred or suspended sentence) no later than two (2) business days after the final case disposition is announced. **An employee's failure to report an arrest, pending charges for criminal offenses or a final case disposition for a criminal offense (for a misdemeanor or felony) within the specified time period may result in corrective action up to and including termination.**

Related Information: C.R.S. 22-1-130: Notice to parents of alleged criminal conduct by school employees.



## PROCEDURE: PARENT NOTIFICATION OF EMPLOYEE CRIMINAL CONDUCT

The District shall notify students' parents when a District employee or former District employee is charged with and receives a final case disposition for certain criminal offenses, as required by state law and in accordance with this policy.

### DEFINITIONS:

For purposes of this policy, the following definitions shall apply:

1. "Employee" shall mean a person currently employed by the District or formerly employed by the District at any time within the twelve (12) months prior to the person being charged with a specific criminal offense and whose work requires or required the employee to be in contact with students or whose work area gives or gave the employee access to students.
2. "Parents" shall mean a student's biological or adoptive parents or a student's legal guardian or legal custodian.
3. "Specific criminal offense" shall mean:
  - a. felony child abuse, as specified in C.R.S. 18-6-401;
  - b. a crime of violence, as defined in C.R.S. 18-1.3-406(2), except second degree assault, unless the target is a child;
  - c. a felony involving unlawful sexual behavior, as defined in C.R.S. 16-22-102(9);
  - d. felony domestic violence, as defined in C.R.S. 18-6-800.3;
  - e. felony indecent exposure, as described in C.R.S. 18-7-302; or
  - f. a level 1 or level 2 felony drug offense, as described in C.R.S. 18-18-401 et seq.

### PARENT NOTIFICATION:

Upon receiving a report that a District employee has been arrested for a specific criminal offense, whether the arrest is self-reported by the employee or reported by an appropriate government agency, the District shall notify parents by two (2) school days after: (a) the date on which the employee's preliminary hearing for a specific criminal offense is held, waived or deemed waived by the employee or (b) the date on which the employee is charged with a specific criminal offense. Alternatively, the District may provide the parent notification required by this policy immediately upon learning of the employee's arrest for a specific criminal offense.

If a delay in parent notification is requested by an appropriate law enforcement agency, the District shall delay notification to parents until the request is withdrawn.

The notification shall be distributed to parents of students:

1. enrolled in the school in which the employee is employed or was employed at the time of the alleged specific criminal offense or with whom the district has reason to believe the employee may have had contact as part of their district employment;
2. using the same notification method which the District regularly uses to notify parents of important school business, which may include electronic communication sent directly to parents (e.g., email, text, instant message) or first-class mail. By two (2) business days after the District receives confirmation regarding the final disposition of the charge against the employee for a specific criminal offense, whether the final disposition is self-reported by the employee or reported by a government agency,

the District shall distribute a second notification to parents of such disposition using the same notification method used in the initial notice to parents.

**Related information:**

C.R.S. 22-1-130 (parent notification of employee criminal charges)

C.R.S. 22-2-119 (4)(b) (district notification of employee arrests)





## REFERENCE AND BACKGROUND CHECKS

A job candidate's offer of employment is contingent upon their proper completion of DPS' online application, the Criminal History Disclosure form, satisfactory reference checks, and satisfactory pre-employment qualifications including background checks and, if required, health and drug screens. Offers of employment are rescinded if the candidate does not meet satisfactory reference and/or background check(s).

### REFERENCE CHECKS

#### External Candidates

Satisfactory reference checks are a condition of employment.

Completion of DPS's online application signifies DPS's right to obtain pertinent information about the candidate. Candidates must complete the online application prior to having their references checked. DPS may utilize third-party vendors for references.

#### Internal Candidates

Satisfactory reference checks are a condition of transferring to a new position. DPS may utilize third-party vendors for references.

### BACKGROUND CHECK

All external candidates who have accepted a contingent offer of employment must complete a fingerprint-based, criminal conviction investigation check. Based on a job classification's hiring requirements, some positions require further background investigation (CDHE, motor vehicle, academic, licensure, credit, etc.) DPS Human Resources arranges for the criminal history background checks and may utilize third-party vendors for this purpose. As a condition of employment, the candidate is required to complete a Criminal History Disclosure form. Candidates may be denied employment for a failure to adequately disclose any criminal history on the Criminal History Disclosure form. Candidates must fully disclose all felony convictions within the past seven (7) years and pending charges (excluding traffic offenses unless they involve drugs or alcohol), including guilty pleas, deferred sentences, diversion efforts, suspended sentences and pleas of no contest. If the candidate does not complete the form - or if the results of the investigation are unsatisfactory - the offer will be rescinded. If the failure to disclose is discovered after employment begins, the candidate/employee will be subject to disciplinary action up to and including termination.

Candidates denied employment for failure to disclose their criminal history, for convictions which may otherwise be approved had they been disclosed, will not be eligible for employment with Denver Public Schools for a period of three years.

All convictions are evaluated on a case-by-case basis, considering the nature and gravity of the offense(s), the time elapsed since the offense(s) and/or completion of the sentence, and the nature of the job in question. Candidates who are disqualified based on the nature of the severity of their criminal history will not be eligible for employment with Denver Public Schools for a period of three (3) years or all time, depending on the conviction(s) and severity. Criminal history record information is only used for the official purpose for which it was requested.

Related Information:

[Administration Policy GCE/GCF: Professional Staff Hiring/Recruiting](#)

C.R.S. 22-32-109.7: Board of Education- Specific Duties- employment of personnel



E.E.O.C. Enforcement Guidance, No. 915.002 (April 25, 2012)



## PROCEDURE: ELIGIBILITY FOR REHIRE

For all terminations from DPS, whether voluntary or involuntary, whether for a teacher or a non-teacher, an eligibility for rehire status must be designated in the Human Resources Information System (“HRIS”). As eligibility for rehire relates to employment status with the district as a whole, Human Resources ultimately oversees this designation.

Former employees will receive one of two eligibility for rehire designations upon separation from employment:

1. Eligible for Rehire; or
2. Ineligible for Rehire.

### ELIGIBLE FOR REHIRE:

An employee who is in good standing and voluntarily resigns or retires will be eligible for rehire. An employee in good standing who loses their position because of a reduction in building or a probationary/annual contract/at will teacher whose contract is nonrenewed/discontinued unrelated to a concern with performance or conduct will be immediately eligible for rehire within the district. Employees who resign during the academic year and give proper notice will be immediately eligible for rehire. An employee who is involuntarily terminated, but whose employment was not terminated for the types of reasons set forth in “Ineligible for Rehire,” may be considered eligible for rehire.

### INELIGIBLE FOR REHIRE:

In limited circumstances, individuals may be ineligible for rehire. Those circumstances include serious criminal misconduct, serious policy violations, and/or serious workplace misconduct, including, but not limited to:

- conduct that causes or creates risk of harm to students, colleagues or the public;
- significant issues of integrity, including theft or embezzlement, falsification of employee or student records;
- breaches of student or staff confidentiality requirements;
- Dismissal based on Administrative Policy AC or JK violations;
- Retirement or resignation in lieu of anticipated investigations, corrective action or dismissal;
- Retirement or resignation while under a performance improvement plan; and/or
- Permanent separation by legal agreement.

In addition, individuals who apply for work with DPS and are found to be dishonest on their application may be designated ineligible for hire.

### ELIGIBILITY FOR SUMMER ROLES

Employees non-renewed/discontinued with ineligibility for rehire may not work in summer roles before their contracts expire in July.

### RECONSIDERATION OF ELIGIBILITY FOR REHIRE STATUS

#### Ineligible for Rehire

Former employees who have recently been designated as ineligible for reemployment may immediately request an appeal of that designation. The former employee may submit the

[Reconsideration of Eligible for Rehire Status form](#) to the Department of Labor and Employee Relations.



## TEACHER FAQ - "PORTING" NON-PROBATIONARY STATUS FROM ANOTHER DISTRICT

**Q1:** What does it mean to "port" non-probationary status from another school district?

**A1:** In certain situations, a new DPS teacher can bring their non-probationary status earned in another Colorado district to DPS.

**Q2:** Do I qualify to "port" my non-probationary status?

**A2:** You may qualify if you meet the following criteria:

1. You were a non-probationary teacher in another Colorado school district.
2. You left that other District in good standing (i.e. you weren't dismissed and didn't resign in lieu of termination etc.)
3. There is no break in time from your previous teaching position and your new position in DPS. (e.g. You taught in the 2019-20 school year in Aurora and you are being hired to teach in the 2020-21 school year in DPS.)
4. You can show that your last two years of evaluations were effective.
5. You can show that you have two years of effective student growth.

**Q3:** How do I ask to "port" my non-probationary status?

**A3:** You must make the request to "port" your status during the onboarding process – in the period between when you get your offer and when you sign your teacher contract with DPS. If you request to port your status, you will be asked to provide evidence of the above eligibility criteria. After review of the evidence provided, Human Resources will notify you about whether you qualified for non-probationary status.

**Q4:** What kind of documents can I provide to show that I meet the criteria?

**A4:** You can ask for a letter from your former Colorado district that states (1) whether you were non-probationary when you left; (2) your date of resignation from that district; and (3) whether you left in good standing. You should also provide the end-of-year reports from your last two years of evaluations. Lastly, please provide any evidence of student growth that you have available to you (e.g. from your end-of-year reports, state assessment data, Student Learning Objective outcomes etc.).

**Q5:** What if I already signed the teacher contract and I now want to request non-probationary status?

**A5:** We can provide a 30-day grace period from when you signed the teacher contract for you to apply to port your status.

**Q6:** If I wasn't a non-probationary teacher in another district, can I bring over my first, second, and/or third years of effective evaluations over to DPS so that they can count toward my non-probationary status with DPS?

**A6:** No, you can't port over years of effectiveness. Under law, you can only port non-probationary status that was previously earned. For example, if you left another district at the end of your third year, you would still start DPS as a probationary teacher because you wouldn't have been non-probationary with the other district until the start of your fourth year. (Note: those years do count toward setting your salary.)

**Q7:** What if I acquired non-probationary status with DPS, then left to work in another state for a year, and then came back to DPS?

**A7:** Please see our [FAQ on probationary status and the implications of a "break-in-service" from DPS valid for the 2021-22 school year](#). In this case, the teacher will return as probationary. Please [click here for an updated FAQ which will be valid starting in the 2022-23 school year](#). There is updated guidance in [Question 13](#) which should be reviewed.

**Q8:** What if I was effective at a charter or innovation school in another district?

**A8:** Under the law, teachers can only bring “non-probationary” status. Teachers at charter or innovation schools generally do not have or acquire non-probationary status. Check with your former school district regarding your status.

**Q9:** What if I am applying for a DPS innovation school or as a Specialized Service Provider?

**A9:** If you work at a DPS innovation school, your employment status is determined by the innovation plan. Some DPS innovation schools do not recognize probationary or non-probationary status, so you will not be able to port over your non-probationary status if you are applying to work in this type of innovation school. This is also true for Specialized Service Providers (SSPs) because SSPs with annual contracts do not gain or lose non-probationary status in DPS.

### **Questions?**

**Please reach out to HR Connect at (720) 423-3900 or**  
**[Connect.HumanResources@dpsk12.org](mailto:Connect.HumanResources@dpsk12.org)**



DENVER  
PUBLIC  
SCHOOLS

Human Resources  
Find. Grow. Magnify. Retain.

## TEACHER FAQ - PROBATIONARY AND NON-PROBATIONARY STATUS

Please click [here](#) for frequently asked questions about probationary and non-probationary status valid starting in the 2023-24 school year.