

Discipline, Suspension and Dismissal of Professional Staff (And Contract Nonrenewal)

The Board of Education shall follow procedures established by law for the suspension and dismissal of teachers.

Full-time probationary teachers, currently employed by the Board, shall be re-employed for the succeeding academic year at the appropriate salary unless the Board does not renew the contract of such teacher pursuant to law.

This provision also shall apply to teachers employed on a part-time continuous basis by the district and by the Pikes Peak Board of Cooperative Educational Services.

The superintendent shall be authorized to suspend with pay or place on administrative leave a professional staff member as a disciplinary measure and/or pending an internal investigation when a professional staff member is accused of serious misconduct. The superintendent shall report all such suspensions to the Board at its next meeting and shall make a recommendation if further disciplinary action is warranted.

A teacher shall not be subject to any disciplinary proceeding including dismissal for actions which were in good faith and in compliance with the district's discipline code, nor shall a contract nonrenewal be based on such lawful actions.

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

The district shall comply with the mandatory reporting requirements concerning allegations of unlawful behavior involving a child and other offenses, in accordance with state law.

Adopted: March 1994
Revised: June 28, 2000
Revised: August 26, 2009
Revised: October 26, 2011
Revised: September 25, 2013
Revised: December 5, 2013
Revised: June 4, 2020

LEGAL REFS.: 15 U.S.C. 1681 et seq. (*Fair Credit Reporting Act*)
20 U.S.C. 7926 (*ESSA prohibition against employment assistance for school employees who have engaged in sexual misconduct with a student or minor*)
C.R.S. 8-2-126 (*limits employers' use of consumer credit information*)
C.R.S. 19-3-301 et seq. (*Child Protection Act of 1987*)
C.R.S. 22-2-119 (*duty to make inquiries prior to hiring*)
C.R.S. 22-32-109.1 (9) (*immunity provisions in safe schools law*)
C.R.S. 22-32-109.7 (*specific duties regarding hiring inquiries and reporting*)
C.R.S. 22-63-202 (3) (*temporary suspension during contract period*)
C.R.S. 22-63-202 (4) (*disclosure of reasons why left employment*)
C.R.S. 22-63-203 (*renewal and non-renewal of probationary teacher contracts*)
C.R.S. 22-63-301 et seq. (*dismissal of licensed staff*)
1 CCR 301-37, Rule 2260.5-R-10.05

CROSS REF.: GBG, Liability of School Personnel/Staff Protection
Fountain-Fort Carson School District #8, Fountain, Colorado