



*Dedicated to Excellence*  
CherryCreekSchools

Cherry Creek School District Educational Support Personnel  
Guidebook

2024-2025

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THIS INFORMATIONAL GUIDE IS DESIGNED TO ACQUAINT EMPLOYEES WITH THE DISTRICT AND PROVIDE INFORMATION ABOUT WORKING HERE. THE GUIDEBOOK IS NOT ALL INCLUSIVE, BUT IS INTENDED TO PROVIDE EMPLOYEES WITH A SUMMARY OF DISTRICT GUIDELINES. THIS EDITION REPLACES ALL PREVIOUSLY ISSUED EDITIONS.

EMPLOYMENT WITH CHERRY CREEK SCHOOLS IS AT-WILL. EMPLOYEES HAVE THE RIGHT TO END THEIR WORK RELATIONSHIP WITH THE DISTRICT, WITH OR WITHOUT ADVANCE NOTICE, FOR ANY REASON. THE DISTRICT HAS THE SAME RIGHT. THE LANGUAGE USED IN THIS GUIDEBOOK AND ANY VERBAL STATEMENTS MADE BY SUPERVISORS ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESSED OR IMPLIED, NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION.

NO EMPLOYEE GUIDEBOOK CAN ANTICIPATE EVERY CIRCUMSTANCE OR QUESTION. AFTER READING THIS GUIDE, EMPLOYEES THAT HAVE QUESTIONS SHOULD TALK WITH THE IMMEDIATE SUPERVISOR OR THE HUMAN RESOURCES DEPARTMENT. IN ADDITION, THE NEED MAY ARISE TO CHANGE THE GUIDELINES DESCRIBED IN THE GUIDEBOOK, EXCEPT FOR THE AT-WILL NATURE OF THE EMPLOYMENT. THE DISTRICT THEREFORE RESERVES THE RIGHT TO INTERPRET THEM OR TO CHANGE THEM WITHOUT PRIOR NOTICE.

### **Board of Education**

The Board of Education recognizes the Cherry Creek Schools Educational Support Personnel for the purposes of meeting and conferring with respect to procedures, and to maintain favorable relationships.

The Superintendent, or designee, shall receive and consider recommendations concerning salaries, benefits and procedures annually unless changed by mutual agreement.

### **Employee / Board of Education Relationships**

The Board of Education of the Cherry Creek School District is always accessible to employees and employee representatives of the District. As a general rule, any topic necessitating official action should first be submitted to the Office of Human Resources before being placed on the agenda.

### **Employment Information**

The Board of Education is obligated to hire the most qualified applicants to fill existing vacancies. Qualified applicants who have followed the District application process may include in-district transfers, as well as individuals not currently employed by the Cherry Creek School District.

### **Definitions**

The term “Classified Employee” is applied to employees who are, in most positions, not required to hold a certificate or a letter of authorization as a prerequisite to obtain or keep their job.

#### **Full-Time Employee**

An employee normally scheduled to work at least 40 hours per workweek (Monday – Sunday). Full-time employees work 8 hours per day and at least 230 days/year. Employees working .6 – 1.0 FTE are eligible for full time benefits. Two 15-minute breaks are allowed daily. The daily half-hour lunch period is not included in the workday, some exceptions may apply for those whose duties do not allow for an uninterrupted, duty-free, lunch period (i.e., food service). There is a difference between not being afforded a thirty-minute uninterrupted, duty-free lunch period and choosing to not take a lunch break. Not taking a lunch break, without supervisor request/approval, may result in disciplinary action. Hours and days of work shall be established by the supervisor.

#### **Part-Time Employee**

An employee normally scheduled to work less than forty hours per workweek (Monday – Sunday). Part-time employees working .5 - .59 FTE are eligible for part time benefits. Those who work more than five hours per day are allowed two 15-minute breaks daily. Those who work five hours or less each day will be allowed one 15-minute break daily. The daily half-hour lunch period is not included in the workday, some exceptions may apply for those whose duties do not allow for an uninterrupted, duty-free, lunch period (i.e., food service). There is a difference

between not being afforded a thirty-minute uninterrupted, duty-free lunch period and choosing to not take a lunch break. Not taking a lunch break, without supervisor request/approval, may result in disciplinary action. Hours and days of work shall be established by the supervisor.

#### Temporary/Relief Employee

An employee who is hired in a job established for a temporary period or for a specific assignment. Temporary employees are ineligible for benefits.

#### Non-Exempt Employee

A non-exempt position is a position that is not exempt from overtime provisions of the Fair Labor Standards Act (FLSA) and is therefore entitled to overtime pay for all hours worked beyond 40 in a workweek (as well as any state overtime provisions).

#### Position Assignment

Notice of Assignments will be available for review on the District's employee self-service site.

#### Position/Job Description Creation and Review

New positions will be established upon approval by the appropriate District Leadership Team. The classification and job description of the new position will be based upon an analysis of information provided by supervisors, existing District positions and appropriate market comparisons.

General job descriptions are available in the Office of Human Resources. A specific description must be provided to the Director of Human Resources for review if a recommendation is submitted to convert a current employee to another position.

### Transfer Process

When a vacancy occurs the principal or department supervisor will have the option of filling that vacancy by transferring an employee within the building or department without utilizing the Classified Transfer Procedure provided the employee remains within the same position, pay grade and classification.

Vacancies that remain unfilled must follow the job posting procedures as determined by the Office of Human Resources.

When a classified position becomes available within the District, any qualified classified employee will be given serious consideration. Employees must use the following transfer process to apply for a vacancy.

**Step 1:** The Office of Human Resources will post vacancies as soon as possible after receipt of the Requisition. The vacancy announcement will be posted on the District's website for a period of eight (8) calendar days.

**Step 2:** Those interested in specific opportunities must submit an online internal application by the closing of the vacancy. For detailed instructions on submitting an internal application, please see the Knowledge Base.

**Step 3:** A list of all internal and external applicants will be available online to the appropriate building administrator, or designee, for review.

**Step 4:** The administrator, or designee, will consider all applicants for a vacancy and select applicants for interviews based on their qualifications for the vacancy.

**Step 5:** Within thirty (30) calendar days, the building administrator, or designee, should decide to:

1. Recommend a candidate to fill the vacancy
2. Cancel the vacancy and submit a new requisition
3. Request the Office of Human Resources reopen the vacancy
4. Cancel the vacancy and elect not to fill the position

## Separation from District Employment

### 1. Voluntary

The District requests that an employee who voluntarily resigns do so in writing to the employee's supervisor and the Office of Human Resources at least two (2) weeks prior to the employee's last work day.

### 2. Termination

Educational Support Personnel may be recommended for termination by the supervisor, with the approval of the Office of Human Resources.

Examples of factors that may contribute to such recommendation include, but are not limited to: egregious behavior, violation of District/Board performance concerns, incompetence, insubordination, neglect of duty, and/or other just cause.

### 3. Reduction in Force

In the event of justifiable staff reductions, staff lay-offs shall be determined based on school, department and/or facility needs, with the approval of the Office of Human Resources. Factors that may be taken into consideration when determining which employees will be laid-off include:

- Ability to perform in a variety of skill areas
- Ability to perform duties and fulfill responsibilities of the job as documented in written evaluations
- Efficiency and effectiveness
- Supervisor judgment in conjunction with documentation
- Years of service at current position and site

### 4. Retirement

All Educational Support Personnel covered by this agreement are required by law to become members of the Public Employees' Retirement Association (PERA). Payroll withholding in this program will be accomplished according to the scheduled rate published by PERA.

Retirement practices will be administered in accordance with the rules and policies of PERA. Employees requesting to retire must submit proper paperwork to the Office of Human Resources.

Upon death of the retiree receiving the accumulated leave compensation, the unpaid portion of the allotment shall be payable to the retiree's designated beneficiary using the same schedule as agreed to by the retiree.

### Unused Leave Payout upon Separation

Following separation for resignation or retirement and after ten years of continuous service in a benefit eligible, classified position, an employee will be compensated at one-half of the employee's rate of pay at the time of separation for accumulated, unused leave. A written resignation must be submitted and be in effect before any payment of accumulated, unused leave will be processed.

Each classified employee shall have the option to choose how to receive payment for accumulated leave. Leave payouts may be paid in one payment in the month following the employee's separation or death. Or, the balance can be divided in half and paid out as two equal annual payments on the first of the month after separation and the next January of the following calendar year

Following the death of a current employee, provided they have completed ten years of continuous service in a benefit eligible classified position, the employee's designated beneficiary would receive payment equal to one-half of the employee's rate of pay at the time of death for accumulated, unused leave.

#### **Example:**

Rate of Pay at Separation or Death: \$25 per hour  
Accumulated, unused leave balance: 50 hours

$\$25/2$  (half of rate of pay) =  $\$12.50 \times 50$  hours leave balance =  $\$625^*$

\*Compensation is subject to applicable taxes and fees

## Performance Evaluation

Supervisors will complete assigned evaluations no later than June 30. Employees, with the exception of those new to the District, will be evaluated once per year. Employees new to the District will be evaluated twice, the first evaluation will take place during the 60 day probationary period. The supervisor will review the evaluation with the employee. The employee's signature on the evaluation indicates only that the employee is familiar with the contents. The evaluation will be housed in Saba. If the employee desires, a written response/rebuttal may be uploaded into Saba to be attached to the evaluation. The District-approved form will be used for evaluation. Please contact the Office of Human Resources if defined evaluation steps have not been followed.

## Progressive Discipline Procedure

Employees are subject to progressive discipline based on performance and/or conduct concerns. Employees are expected to follow all CCSD District and School Board Policies. No employee shall be disciplined or adversely affected without just cause. The administrator/supervisor must work with the Office of Human Resources in addressing employee discipline.

Any employee who is not performing adequately shall be given a minimum of one verbal and one written warning regarding the performance of their duties. In the event the performance is not improved to the level required in writing by the administrator/supervisor, termination may result after the written warning. Performance concerns contained in an employee's evaluation may be considered a written warning of performance concerns. Depending on the severity/egregiousness of the incident/behavior/policy violation, supervisors/administrators and the Office of Human Resources have discretion to determine the appropriate level of disciplinary action needed. Immediate termination may result from egregious behavior or violation of District or Board policy.

Employees may request to review their personnel file. Such review will be subject to established.

If an employee is placed on administrative leave with pay, that employee is expected to follow the guidelines as outlined in the "Paid Administrative Leave of Absence" document. Failure to do so could result in being placed on administrative leave without pay. An employee may be put back on a paid status as determined by circumstance.

## Attendance and Punctuality

All employees are expected to be on time and ready to work their scheduled shift. Absenteeism, early departures, and late arrivals burden the department/school and fellow employees. It may be necessary for you to be absent occasionally, it is important that absences be kept to a minimum. Excessive absenteeism is not acceptable and may result in termination.

Employees are expected to take care of personal affairs and obligations at a time other than during working hours. If it is necessary to be off for personal convenience, prior approval must be received from the employee's immediate supervisor. Prior to absence approval or denial, the supervisor will take into consideration the operational needs of the site/department/school.

Employees who are going to be absent or late must contact their supervisor as soon as possible prior to the start of their shift. Leaving messages with other employees or on voice mail is not acceptable. Absences must be reported in Oracle.

Failure to call in when absent for two days/shifts may result in termination.

## 2024-2025 Paid Holidays: benefit-eligible classified employees

To be eligible for holiday compensation the employee must be employed by the District at least one workday prior to the holiday and work their scheduled shift the day prior and the day after the holiday, unless taking time-off pre-approved by their immediate supervisor. Compensation for the paid holiday is based on the number of daily hours assigned to the employee. Holiday hours will not result in overtime and will be compensated at the employee’s regular hourly rate.

When a holiday falls on a Saturday, it may be observed on the preceding Friday. When the holiday falls on a Sunday, it may be observed on the following Monday. If a holiday falls at a time when an employee cannot be released, the day may be granted at a later date depending on employee group.

### Conventional School Year Employees (August-May)

New Year's Day  
 Martin Luther King, Jr. Day  
 Presidents’ Day  
 Memorial Day  
 Labor Day  
 Thanksgiving Day  
 Day after Thanksgiving  
 Christmas Day  
 Day after Christmas

### Year-Round Employees

New Year's Day  
 Martin Luther King, Jr. Day  
 Presidents’ Day  
 Memorial Day  
 Juneteenth  
 Independence Day  
 Labor Day  
 Thanksgiving Day  
 Day after Thanksgiving  
 Day before Christmas Day  
 Christmas Day  
 Day after Christmas

### Vacation – Vehicle Maintenance Only

Vehicle maintenance employees are to be granted vacation periods based on their length of service in the school district. Senior employees will be given an opportunity to choose vacation periods before employees lower on the seniority list. Vacations for all employees shall be at the convenience of the school district. Requests for vacation leave must be made 48 hours in advance.

Full time personnel shall be granted paid vacation in accordance with the following schedule:

Years of Service	Days
0 - 3	11
4 - 7	16
8 - 10	19
11 +	21

Employees beginning after the start of the work year will receive a prorated number of days.

Vacation hours will be banked July 1 of each fiscal year. Vacation leave is accessible following successful completion of the probationary period. Time earned must be used within the twelve-month period starting July 1 through June 30. Time earned and not taken in the twelve-month period is not accumulated and will be paid out.



# Absences and Leaves

## Leave Usage and Accrual

Leave may be used for illness of the employee/the employee's family, health appointments, or personal business. Leave is not intended for recreational use or to extend holidays or any breaks/vacations. Violation could result in docked days at the employee's per diem.

Leave must be scheduled with an employee's immediate supervisor no less than 24 hours in advance, except in the case of illness or emergencies. Leave must be reported in Oracle by the employee.

Supervisors may request a doctor's note, in the case of illness, after four consecutive days of missed work. Supervisors may also request documentation for the use of any other category of leave as listed in the "Types of Approved Leave" section of this guidebook. Employees may take leave in quarter hour increments. Leave should be scheduled to interfere as little as possible with normal operation of business and to avoid excessive workloads for other employees during peak periods.

Leave will be accrued at a rate of one hour for every fifteen (15) hours worked and may be accumulated to an unlimited number. This number shall include previously accumulated sick leave. Leave is paid at the employee's base pay rate at the time of the absence. It does not include overtime or any special forms of compensation such as supplemental assignments, incentives, stipends, or differentials.

## **Types of Approved Leave**

Cherry Creek School District will follow all rules and regulations as determined by the Colorado Healthy Families and Workplace Act.

### Military Leave

Employees granted a military leave of absence are re-employed and paid in accordance with the laws governing veteran's re-employment rights.

The employee shall be granted leave for up to fifteen days of active duty for training in any year. Leave shall be granted with pay if the military duty for training takes place during an employee's regular assigned work time. Wages shall be paid by the military while on training leave and shall be reimbursed to the District up to that amount which equals the employee's normal wage for the day(s) in question.

Should the amount paid by the military exceed the employee's normal wage paid by the District, the employee may keep such excess.

An employee who is involuntarily inducted into active military service shall, upon request, be granted a leave of absence without pay by the Board of Education for the period of involuntary service. A copy of the employee's orders will accompany the request for leave.

### Domestic Abuse Leave

Employees subject to domestic abuse may be eligible for a leave of absence. Please see the Benefits Department for more information.

### Jury Duty

The District recognizes jury duty as a civic responsibility of everyone. When summoned for jury duty, an employee will be granted leave to perform their duty as a juror with pay. Such sums as shall be paid by the court shall be forwarded to the District if jury duty occurs on a scheduled work day. If the employee is excused from jury duty during their regular work hours, they are expected to report to work promptly. The employee shall supply juror service certificate and amount of compensation.

### Subpoena Duty

The District recognizes subpoenas related to current or previous Cherry Creek School District employees or students as a civic responsibility. When subpoenaed, an employee, will be granted leave to perform the duty unless said employee is the plaintiff in the case. If the employee is released during their regular work hours, they are expected to report to work promptly.

### Voting

Voting is an important responsibility we all assume as citizens. We encourage employees to exercise their voting rights in all municipal, state, and federal elections. Under most circumstances, it is possible for employees to vote either before or after work. If it is necessary for employees to arrive late or leave work early to vote in any election, employees should arrange with their supervisor no later than the day prior to Election Day.

### FMLA (Family and Medical Leave)

The District provides up to 12 weeks of unpaid, job-protected leave to eligible employees. For information or to seek FMLA coverage, contact the CCSD Benefits Department or visit the Benefit Office webpage on the District Website.

#### Eligibility Requirements

Employees are eligible for FMLA if they have worked for Cherry Creek School District for at least 12 months, at least 1,250 hours over the past 12 months.

### Long-Term Leave

A long-term leave may be granted by the Board of Education for more than 12 weeks, not to exceed 12 months, for injury, ill health, or other reasons as approved by the Board of Education. For information or to seek a long-term leave, contact the CCSD Benefits Department or visit the Benefit Office webpage on the District Website.

A certificate from a licensed and recognized physician will be required of any employee making application for a leave on account of health.

## **Insurance**

### **Group Insurance**

For information about health, dental, vision, etc. insurance available to employees contact the CCSD Benefits Department or visit the Benefit Office webpage on the District Website.

### Liability Insurance – Vehicle Maintenance Only

The District will provide liability insurance coverage for all Vehicle Maintenance personnel.

### Life Insurance

For information about life insurance available to employees contact the CCSD Benefits Department or visit the Benefit Office webpage on the District Website.

### Long-Term Disability Insurance

The District will provide, at no cost to the benefit eligible employee, a District-approved long term disability insurance. Visit the Benefit Office webpage on the District Website for information.

### Other Insurance

The Board of Education supports the idea that employees should be insured against personal and professional risks and in this regard will cooperate with staff members or representatives thereof in the development and administration of such a program.

The Board of Education shall protect the staff and program against undue invasion of the school day by insurance agents by not allowing such agents to solicit employees during the school day. Supervisors shall not allow materials from solicitors to be placed in mailboxes of employees or in school areas where employees may assemble.

### Workers' Compensation

Visit the Risk Management webpage of the District website for Worker's Compensation Information.

## **Insurance/Benefits Committee**

The Cherry Creek School District benefits office, District leadership and representatives from all employee groups maintain a District Insurance Committee to provide a mechanism to manage the District's insurance plans for the benefit of all benefit eligible employees.

The Insurance Benefits Committee may be established by the superintendent, composed of one representative of each employee group of the Cherry Creek School District. The Committee shall be chaired by a representative of the Human Resources department and include a representative of Fiscal Services.

This Committee may receive information from the District's benefits and/or District leadership on proposed changes to insurance and benefits. This committee will study, provide feedback, and make recommendations to District leadership and the Board of Education on current and proposed benefit changes.

## **Sick Leave Bank**

### **A. Introduction**

The purpose of the Sick Leave Bank is to provide for a limited income continuation in conjunction with other benefit plans in case of extended absences due to disability resulting from illness or injury, which renders the member incapable of working.

### **B. Membership**

#### **1. Initial Enrollment**

All classified employees who earn leave will be eligible to join the Sick Leave Bank after one year of employment in an eligible group. All eligible employees with one year of employment or more will be automatically enrolled on their anniversary date unless they have declined/opted-out in writing. When an employee is enrolled, they will contribute 8 hours of sick leave to the bank.

#### **2. Re-Enrollment**

Any eligible employees who wish to join the Sick Leave Bank after their first year of eligibility will contribute two (2) days upon joining. Such membership may only be made during the month of October using the appropriate forms. The two (2) required days of leave shall be donated from their account upon enrollment in the Sick Leave Bank.

#### **3. Contributed Days**

Days contributed or assessed become part of the bank and no longer count toward the individual member's current or accumulated sick leave.

#### **4. Dropping Membership**

A member may terminate membership in the Sick Leave Bank by completing the required form available on the Human Resources Benefits webpage. However, the days contributed by the member may not be withdrawn.

### **C. Sick Leave Bank Operation/Procedural Guidelines**

#### **1. Governance**

Daily operation of this bank will be by the Benefits Office in the Office of Human Resources who will determine eligibility and usage of the bank. The CEC will oversee administration of total hours and hours used.

#### **2. Operation**

a. The minimum number of days in the bank will be one hundred and fifty (150).

b. Should the number of days drop below the minimum, the CEC will take necessary action to raise the balance above the minimum. The CEC will have the authority to assess an additional day from each member. Days will be assessed in increments of one (1) additional day of current or accumulated leave from each member.

i) Inability to contribute, within a school year, will not prohibit individuals from being a member for the remainder of that school year unless the member affirmatively drops membership in the bank.

ii) Any members who were unable to contribute the assessed day(s) and did not affirmatively drop

membership in the bank will have the assessed day(s) deducted from their current or accumulated leave during the following year.

- c. If an assessment is deemed necessary, all members will be provided an opportunity to terminate their membership prior to the assessed day being deducted from their current or accumulated leave.
- d. If the CEC feels that the bank cannot be funded adequately with the present membership or a more suitable plan is found, the CEC in conjunction with Human Resources can vote to terminate the bank. If the Sick Leave Bank is terminated, days remaining on the bank's records will be cancelled. Days will not be returned to the members of the Sick Leave Bank.
- e. Members may contribute more days to the bank up to their leave balance amount.
- f. This administrative procedure will be reviewed at least once each year.

**D. Maximums / Minimums**

1. A member in any single rolling year may be granted up to 45 days.
2. Any member will be assessed up to two (2) deduct days at per diem in connection with an application or illness in any single year.
3. If the balance of days in the Sick Leave Bank drops to one hundred and fifty (150) or below, members being granted days will continue to receive days. All new applications to the Sick Leave Bank will be put on hold until the CEC takes action to alleviate the situation. If the balance should reach zero (0) all days will cease to be granted, as the bank cannot operate in a deficit.

**E. Granting of Days / Application Process**

The term "day" is defined as a full workday. Days may be granted from the Bank only after the member requesting Sick Leave Bank days has used all his/her current and accumulated leave.

1. The first two (2) days of leave after the member has exhausted his/her accumulated leave will not be covered by the bank.
2. Upon acceptance by the LTD carrier, the two (2) deduct days will be reimbursed to the member.
3. When a member becomes eligible to receive benefits from the district approved LTD program; the member will no longer be eligible to receive days from the Sick Leave Bank. (Eligibility for LTD begins sixty (60) calendar days from date of disability resulting from illness or injury that renders the member incapable of working.)
4. Days from the Sick Leave Bank will be approved for extended illness and/or disability of a member only. Days will not be granted for a member to care for someone else who is ill or disabled.
5. Application for use of days must be made by the member to the Benefits Office in the Office of Human Resources any time prior to needing the days but not later than 60 calendar days after the member returns to work. Applications submitted at a time outside these limits will not be considered. Requests should include all of the following:
  - a. A licensed physician's verification that the illness or disability is total and renders the employee incapable of working.
  - b. A medical leave of absence.
  - c. A Sick Leave Bank application form.
6. The Benefits Office will have the authority to request additional information, including a request to the Superintendent to pursue a physical/mental examination.
7. Coincident with approval of days, the approved number of days will be deducted from the Bank. All days granted from the bank, but not used, will be restored to the bank.
8. Requests for less than full days of disability will be considered when:
  - a. The member is engaged in a rehabilitation/recovery program directed by a licensed physician; and
  - b. The member's supervisor and/or building principal has approved a partial return to work.
9. A member who uses days from the bank will not be required to repay such days except as a regular contributing member of the bank.
10. A representative of the Office of Human Resources will maintain a current record of days contributed and days used.

## COMPENSATION

### Base Pay

Base pay is the fixed dollar amount paid to an employee, not including benefits and additional pay. It is the rate of compensation an employee receives in exchange for services. An employee's base pay can be expressed as an hourly rate or annual salary.

The District endeavors to follow fair and consistent wage placement practices in accordance to Federal, State, and local laws. At no time will any employee be placed below the minimum or above the maximum of their position's pay range.

### New Hire Wage Placement

Employees will be placed within the position's established pay range based only on their years of relevant experience to the job. Relevant experience is defined differently based on the unique job's duties and responsibilities, minimum requirements, scope of practice, and environmental work conditions found within the position's job description. Relevant experience criteria are defined by the Office of Human Resources. The employee is responsible for providing the proper documentation for their years of relevant experience. Wages are set by the Office of Human Resources based on the resume and application provided by the employee. Once a position offer is formally accepted by the employee, an updated resume can only be reviewed when the employee transfers to a new position or when a market study for the position occurs.

### Transfer Wage Placement

Demotion - Employees transferring to a different job at a lower pay grade will be reduced to the same relative position within the new position's pay range. This will result in a pay decrease to hourly wage.

Lateral - Employees transferring to a different job at the same pay range will maintain current hourly wage. This will result in no adjustment to hourly wage.

Promotion - Employees transferring to a different job at a higher pay range will be placed within the new position's established pay range based only on their years of relevant experience to the job. Relevant experience is defined differently based on the unique job's duties and responsibilities, minimum requirements, scope of practice, and environmental work conditions found within the position's job description. Relevant experience criteria are defined by the District. The employee is responsible for providing the proper documentation for their years of relevant experience. If this methodology results in an increase of 5.0 percent or greater over current hourly wage, then no further calculations are necessary. If experience placement results in an increase of less than 5.0 percent over current hourly wage, then the new hourly wage will be current hourly wage plus 5.0 percent, not to exceed the position's pay range maximum. This will result in a pay increase to hourly wage.

### Market Study Pay Adjustments

The Office of Human Resources will periodically conduct market studies for the Educational Support Personnel wage schedule to ensure Cherry Creek School District remains competitive in relation to the public school district market and identified market peers. Individual pay adjustments may or may not be made based upon market survey findings, the position's pay range, the employee's experience, the employee's current base pay, and the fiscal sustainability of pay increases, as determined by the Division of Fiscal Services.

## **2024-2025 Educational Support Personnel Wage Ranges**

*Includes Early Childhood Education (ECE), Educational Office Professionals (EOP), Extended Childcare Services (ECS), Food and Nutrition Services (FNS), Para-Educators, Staff Support, and Vehicle Maintenance*

Educational Support Personnel position range assignments can be found on the District website [compensation webpage](#).

<b>RANGE</b>	<b>MINIMUM</b>	<b>MIDPOINT</b>	<b>MAXIMUM</b>
<b>1</b>	\$14.89	<b>\$18.38</b>	\$21.87
<b>2</b>	\$15.71	<b>\$19.40</b>	\$23.09
<b>3</b>	\$16.60	<b>\$20.49</b>	\$24.38
<b>4</b>	\$17.54	<b>\$21.65</b>	\$25.76
<b>5</b>	\$18.48	<b>\$22.81</b>	\$27.14
<b>6</b>	\$19.52	<b>\$24.10</b>	\$28.68
<b>7</b>	\$20.56	<b>\$25.38</b>	\$30.20
<b>8</b>	\$21.74	<b>\$26.84</b>	\$31.94
<b>9</b>	\$22.92	<b>\$28.30</b>	\$33.68
<b>10</b>	\$24.19	<b>\$29.87</b>	\$35.55
<b>11</b>	\$25.47	<b>\$31.45</b>	\$37.43
<b>12</b>	\$26.87	<b>\$33.17</b>	\$39.47
<b>13</b>	\$28.27	<b>\$34.90</b>	\$41.53
<b>14</b>	\$29.91	<b>\$36.93</b>	\$43.95
<b>15</b>	\$31.55	<b>\$38.95</b>	\$46.35

*All Educational Support Personnel positions are classified as non-exempt from overtime pay per the Fair Labor Standards Act (FLSA).*

### **Time Reporting**

Employees are responsible for submitting their time worked to their supervisor on a predetermined basis for approval and timely submittal for payroll purposes. It is important that these records are accurate and complete. Employees in a non-exempt position are expected to submit accurate and complete time records reflecting all hours worked. Falsification of time records will result in immediate dismissal.

Employees who also choose to keep personal time records must provide them to the District if they find a discrepancy between the District's records and their records. Employees should contact their supervisor or payroll specialist with any questions about how their pay is calculated. Employees must promptly notify their supervisors or payroll specialist of any mistakes in their time records or pay. Employees also must notify Human Resources if they perceive that anyone is interfering with their ability to record their time accurately and completely. All reports will be investigated and appropriate corrective action will be taken. The District will not tolerate retaliation against employees for making a report or participating in an investigation.

### **Payday**

Depending on position, employees are paid on either the 10<sup>th</sup> or 20<sup>th</sup> of each month. If a payday occurs on a holiday or weekend, the payday is the last working day prior to the holiday or weekend. On each payday, employees may access an online statement showing gross pay, deductions, and net pay.

Automatic deductions such as additional tax withholding, contributions to voluntary benefits plans, and individual savings plans may be arranged through Payroll. For convenience purposes, we encourage paychecks to be automatically deposited to the employee's bank account of choice.

## **Additional Pay**

Additional pay is any extra pay on top of base pay awarded to an employee. It is not guaranteed or rolled into base pay.

### **Overtime**

Employees in a non-exempt position are eligible for paid overtime at one and one-half times their regular rate of pay for all hours worked in excess of forty (40) hours per workweek (Monday to Sunday), twelve (12) hours per workday, or twelve (12) consecutive hours without regard to the starting and ending time of the workday. The 40-hour workweek will not include time taken as personal leave or approved district holidays that occur during the workweek. Time worked above and beyond the employee's work schedule must be pre-approved by their supervisor. Failure to receive pre-approval for overtime will be considered a performance concern, and disciplinary action may be taken. Time worked in excess of scheduled hours and taken in the same week is defined as flex time.

### **Temporary Assignment**

An employee who is temporarily assigned duties of a higher job classification for a period may be compensated after a request is submitted by their supervisor and approved by the Office of Human Resources. This is additional pay for work when temporarily completing duties above and beyond an employee's job description on a daily or nearly daily basis. Examples include an employee filling in for a vacant supervisor position or completing job duties that are not assigned to any other position.

If an employee is completing essential job duties above and beyond their position's job description on a daily or near daily basis, then a position reclassification should be considered for permanent changes. A position reclassification occurs when job duties, responsibilities, and required qualifications of an existing position are re-evaluated, and the position is assigned a new job title and job profile. This may or may not result in a change in employee compensation. A position reclassification is warranted only if the essential job duties of the position change by a minimum of 30.0 percent.

If an employee in a non-exempt position is completing additional job duties of a position in an equivalent pay range or a lower pay range within the hour limits as defined by Colorado's overtime laws, they are not eligible for special consideration pay. These job duties fall under "other duties as assigned."

Non-exempt positions are entitled to overtime pay if working in excess of forty (40) hours per workweek (Monday to Sunday), twelve (12) hours per workday, or twelve (12) consecutive hours without regard to the starting and ending time of the workday. The Colorado Department of Labor and Employment details State overtime laws in the Colorado Overtime and Minimum Pay Standards (COMPS) Order #38.

### **Temporary Assignment Guidelines**

When temporarily performing essential job duties of a position in a higher pay range that require time on a daily or near daily basis, the employee may be compensated up to 10.0% of current base pay. The percentage of additional pay will be adjusted proportionately if more than one employee is sharing the additional essential duties of a higher-level position. The pay rate is determined by the Office of Human Resources based on the circumstances.

EXAMPLE: A position in range 4 performing essential duties of a position in range 5 or higher

When temporarily performing essential job duties of a position in an equivalent pay range that require time on a daily or near daily basis, the employee is not eligible for additional pay.

EXAMPLE: A position in range 4 performing essential duties of any position in range 4

When temporarily performing essential job duties of a position in a lower pay range that require time on a daily or near daily basis, the employee is not eligible for additional pay.

EXAMPLE: A position in range 4 performing essential duties of a position in range 3 or lower

### Longevity Pay

The following Classified employee longevity pay will be granted to eligible employees as additional salary, to be paid in a lump sum the month of their anniversary date. This will not be included in base pay. Years of service must be continuous in a benefit eligible position with Cherry Creek School District. The employee must work 120 days or more during each year of service to be eligible for longevity.

COMPLETED YEARS OF SERVICE	ANNUAL PAYMENT
10	\$600.00
11	\$700.00
12	\$700.00
13	\$800.00
14	\$800.00
15	\$1,000.00
16	\$1,000.00
17	\$1,100.00
18	\$1,100.00
19	\$2,000.00
20	\$2,200.00
21+	\$2,200.00

### Travel Reimbursement

On the recommendation of the Superintendent, the Board of Education shall authorize the payment of traveling expenses. Payment at the official District rate per mile shall be made for any employee or member of the Board of Education while conducting official District business. Claims for payment shall be made in the manner prescribed by the Superintendent acting in accordance with established State funding requirements.

### Call Time – Designated Personnel Only

Designated employees called to work outside of their regularly scheduled shift for an emergency shall be paid for a minimum of two hours. Travel time is included. Scheduled early reporting and reporting to perform normal duties caused by inclement weather shall not be considered call time.

### Closure – (Site/District)

When the Superintendent or designee closes all schools, offices, and facilities for any reason (e.g. snowstorm or other emergency), to staff and/or students and programs, all eligible employees may be compensated. Each employee's immediate supervisor may designate those individuals who shall work on day(s) when locations are closed due to adverse weather conditions or emergency situations. The Board of Education may reschedule workdays not held through a revision of work calendars.

### Extended Child Services (ESC) ONLY

If schools are closed for any reason, the employees who were scheduled to work on the day(s) of the closure will be paid for up to two (2) days in a school year for the number of hours they were originally scheduled on the days of the closure. The Board of Education reserves the right to require those employees to makeup the time for which they were paid.



Professional Standards Program (PSP) – Educational Office Professionals

A copy of the PSP certificate notification from NAEOP is sent to the PSP registrar. The eligible employee must hold a current PSP certification, which includes continuous membership in the local and national organization, in order to continue receiving the stipend, effective July 2005. Each time a higher PSP certificate is earned, a copy of the notification from NAEOP must be submitted to Human Resources.

Effective May 15, 2018, guidelines for PSP recertification. An EOP PSP recipient must be an active member of NAEOP for five continuous years, complete sixty (60) hours of continuing education (any combination of continuous education courses, workshops, or seminars), and obtain ten (10) point of Association Responsibility within these five years. The EOP is responsible for paying the recertification fee.

\*\*Continuous membership means continually renewing your NAEOP membership. EOP members are responsible for paying the active member renewal fee. (The PSP Governing Board discussed this area and determined that continuous NAEOP membership is defined as dues paid within one year of member’s anniversary date. Renewal notices will be provided by NAEOP. If you neglect to renew, there is a 45-day grace period. If you fail to renew within the grace period, you will have a lapse in membership which may affect PSP status.)

For the purpose of the Professional Standards Program, to receive a year of service credit, an EOP must work 120 days or more during each fiscal year to receive the PSP stipend and must satisfy the above requirements.

Option I Certificate Level	Option II Certificate Level	Annual Compensation
Basic	Basic	\$500
Associate Professional	Associate Professional	\$550
Advanced I	Advanced I - Associate Degree	\$600
Advanced II	Advanced II	\$650
Advanced III	Advanced III BA/BS, MA/MS, Doctorate	\$700
Certified Ed Office Employee (CEOE)	CEOE	\$750

Meals – Food and Nutrition Services Only

All Food and Nutrition Services employees will receive a meal per day without charge.

Uniform Allowance – Food and Nutrition Services Only

Upon hire, and once yearly thereafter in September, employees shall be given an allotment of \$450.00 for their yearly uniforms.

Master Certification – Vehicle Maintenance Only

Mechanics presenting a current ASE School Bus Master Certification by July 1 are eligible for an annual stipend. This payment will continue annually while the mechanic holds a valid ASE School Bus Master Certificate.

Certification	Annual Compensation
ASE School Bus Master Certification	\$2500

This amount will be paid in July of each year and will not be rolled into current hourly wage.

### Single-Occasion Responsibility – Vehicle Maintenance Only

An employee working in a shift leader position for a minimum of one hour, will receive additional compensation equivalent to 10.0 percent of the employee's base wage until the leader returns or the shift has ended, whichever occurs first.

### Storm Schedule – Vehicle Maintenance Only

Those designated as essential employees by the Director of Transportation shall be paid double time for the time worked while schools are closed. Vehicle Maintenance employees are designated as essential employees and are expected to report to duty.

Those who are unable to report to work, the absence will be recorded as a day of leave. If leave has been exhausted, the employee may request a day of vacation time, provided these balances have not been exhausted. If balances have been exhausted, the day will be recorded as leave without pay.

### Uniforms, Tools, Eyewear – Vehicle Maintenance Only

Uniforms shall be provided by the District for each Vehicle Maintenance employee to have one clean change of clothes each working day. Pant and shirt combination will be selected by the District. In addition to the uniform, a light-weight jacket shall be provided.

The District shall make available one set of lined coveralls for each Vehicle Maintenance employee. The coveralls must be returned to the District on separation of employment. Each new Vehicle Maintenance employee shall become eligible for uniforms within one week of initial employment.

The employee will supply his/her own basic set of hand tools as a minimum for the assigned job title. The District will provide a tool allowance of \$1200 per year for replacement of broken, worn-out, or additional special tools, steel-toed footwear, and/or safety eye wear. Tool allotment will be provided after completion of probation. It will be prorated for the number of months remaining in the budget year.

Upon separation, a Vehicle Maintenance employee shall have his/her final paycheck adjusted for the cost of all uniforms and/or tools, checked out, but not returned to the Director of Transportation or designee.

The District will provide eye wear required to be worn in the Transportation shop, such as face shields, welding helmets, and safety goggles.

## Professional Growth

Classified staff are encouraged to participate in approved professional growth activities. The Cherry Creek Board of Education shall provide each fiscal year the sum of \$42,500.00 to be used by classified staff, applying for funds, to defray the cost of such activities. This fund will be closed at the end of each fiscal year with any remaining funds returned to the General Fund. Temporary classified personnel will not be eligible for funds. The Classified Employee Council reserves the right to make the final decision on approval of funds. The Office of Human Resources will act in an advisory capacity in approval of fund expenditures.

### 1. Goals/Aims

The Professional Growth Policy provides for classified staff to participate in professional growth activities, and to assist individuals with the cost of professional growth experiences that relate to classified staff job descriptions. Professional growth will add to our District value of improving the organization continuously and should be documented in the employee's yearly evaluation. These funds should be utilized to provide the greatest benefit to all classified staff. The goals/aims are to:

- a) Encourage individuals to keep current with changes in the technology of the school business world and explore new methods of school business operations.

- b) Stimulate learning and encourage individuals to upgrade their skills, gain new skills, and/or refine techniques to enable them to prepare for increased responsibilities.
2. Application Process – Individual
- a) An individual may apply for professional growth funds at any time during the school year, July 1 through June 15.
  - b) To receive reimbursement, the professional growth activity must meet at least one of the goals/aims listed above.
  - c) An application must be completed before any request for reimbursement can be considered. The online application form is located on the CCSD Human Resources page.
  - d) An individual may not be reimbursed for more than \$500 in any given school year (exclusive of a group sponsored professional growth experience). Funds are available on a first-come, first-served basis.
  - e) Application Procedure: If submitted prior to taking course: provide an application and a copy of the course prospectus or outline. If submitted following course completion: provide an application, copy of course prospectus or outline, verification of payment, and evidence of satisfactory completion.
  - f) Courses under \$25 each should be combined, where possible, and classes submitted together.
  - g) Classes that meet during normal work hours must have approval of the individual's immediate supervisor prior to application.
3. Approval Process – Classified Employee Council
- a) The Committee will review the professional growth balance monthly.
  - b) The Council will determine a meeting place and time for the purpose of considering professional growth requests.
  - c) The Committee will respond to all requests.
  - d) The Committee may not grant more than \$500 to an individual in any fiscal year for professional growth activities covered under this procedure exclusive of group sponsored professional growth activities.
  - e) Applications will be processed on a first come first served basis until all funds are depleted. Preapproval of funds may be granted to reserve funds for classes that occur/are completed late in the year. If a class is cancelled or the employee does not pursue taking the class, notification must be provided to Human Resources in order to release those funds for other use.
  - f) If there are sufficient funds, they may be used for speakers, films, rental of space and other related expenses necessary to conduct group sponsored professional growth activities.
  - g) The Committee may also grant up to \$500 per fiscal year to an individual classified employee to sponsor group professional growth activities of primary interest to his or her department or to other classified employees having similar positions. All classified employees must be invited and most of the attendees must be classified employees. Reimbursement is similar to individual professional growth. The \$500 limit does not reduce the amount the sponsoring classified employee may spend on his or her own individual professional growth.

When the activity/class is complete, fill out entire application form, attach course description documentation, copy of proof of payment, verification of completion of class, and send one copy of the application packet to Human Resources.

4. CCAEOEP
- a) \$3,000 will be available per fiscal year for use by the CCAEOEP Leadership Council.
  - b) The Leadership Council will allocate the funds.
  - c) These funds shall be used for speakers, reference materials (books/periodicals), films, rental of space, and other related expenses as necessary to conduct successful professional growth activities.
  - d) Up to \$5,000 will be available per fiscal year for CCAEOEP committee members to apply for compensation for their leadership and service to the District and to CCAEOEP membership. This compensation is included in the \$500 total professional growth maximum available to EOP employees.

## GENERAL INFORMATION

### Activity Tickets

All District employees will present their District/School issued photo ID at home games of athletic contests for the employee and accompanying immediate family to enter for free. Does not include post-season games.

### Child Abuse & Neglect Reporting

Colorado law requires all school employees to follow the law around mandatory reporting requirements. For more information, visit the “Mandatory Reporting” page located in the CCSD Backyard page of [my.cherrycreek](http://my.cherrycreek).

### Organizational Membership

No contract or other employment arrangement executed or made by and between the school district and employee shall require, by inference or otherwise, that said employee pay dues or belong to any group or organization.

### Political Activities

Except as provided in Colorado statute no employee of the Cherry Creek School District shall use his/her position or the facilities of the District to promote political objectives.

As a protection to the District from persons who may desire to use the schools for the purpose of disseminating political propaganda, no written materials shall be circulated or posted on school property without the approval of the building principal.

Copies of all materials referred to in the foregoing paragraph, receiving the approval of the building principal, shall be filed with the Superintendent of Schools.

### Publication of Articles

All employees are encouraged to submit original articles for publication. Manuscripts deal with programs of the Cherry Creek School District shall be reviewed and approved by the Superintendent or designee.

## Communicable or Life-Threatening Diseases

### A. Purpose

This procedure establishes a mutually beneficial process between an ill employee and the District to insure that the health or safety of the employee, students and other employees is protected.

### B. Identification of Ill Employees

Employees affected by a communicable or life-threatening disease or illness may be identified through self-report, or on the basis of the District having a reasonable belief that a staff member is ill. Reasonable belief would exist in, but is not limited to, situations where the employee's health is observed to be deteriorating to the point of interfering with the performance of his/her duties, the employee displays persistent physical symptoms of illness, where the District becomes aware of a diagnosis of such an illness or disease, or where there is other reasonable evidence of the existence of such disease.

If a supervisor has been informed or has reasonable cause to believe that an employee is affected by a communicable or life-threatening disease or illness, the supervisor will immediately notify the Chief Human Resources Officer. The Chief Human Resources Officer or

his/her designee may confer with, but not limited to, the supervisor, the Executive Director of Instruction for that school, the staff member, and the Superintendent of Schools for determination of fitness as provided in Section D below.

C. Verification of Illness or Disease

The Chief Human Resources Officer or designee will take reasonable steps to verify the existence or non-existence of a communicable or life-threatening disease. This will be determined by a review of medical reports, files, diagnostic testing, hospital records, and/or consultation with physicians or other medical personnel as may be deemed necessary.

D. Determination of Fitness for Continued Duty

In the event an employee is affected by a communicable or life-threatening disease or illness, recommendations regarding the employee's fitness for continued duty and contact with students and other staff will be made on a case-by-case basis by the Chief Human Resources Officer. The recommendations will be based on, but not limited to:

1. Medical reports regarding the condition of the employee;
2. The type of duties and interaction in the work place required of the employee in performance of his/her assignment;
3. The impact of continued employment on the affected employee, students and others in the work place;
4. Consideration of "reasonable accommodations" in the employment of the affected employee pursuant to Section 504 of the Rehabilitation Act when applicable, and
5. Input and recommendations from public health officials and others.

Recommendations will be submitted to the Superintendent of Schools for review and action.

E. Return to Duty

If an ill staff member is determined to be fit for continued duty, the supervisor will be informed of the employee's medical condition, the reasonable accommodations/precautions, if any, to be observed in the work setting, and any other factors that would warrant the reconsideration of continued duty. A regular schedule of medical examinations or evaluations for continued employment may be required.

F. Termination of Employment

If a staff member is determined to be unfit for continued duty, he/she will be entitled to the use of accumulated paid sick leave, sick leave bank provisions (if applicable), and medical leave of absence as outlined in district policy.

After all leave options are exhausted and the employee is still not deemed fit to resume duties, employment will be terminated by the employee's resignation or retirement, or by Board of Education action including initiation of dismissal proceedings under applicable Colorado Statute or District policies subject to the usual appeals by the employee.

G. Confidentiality

All information gained by the District through the application of this procedure, including the identity of an employee, will be treated as confidential except as necessary to implement this procedure. Information will not be released publicly by officials of the school district without the written consent of the affected employee.

The adoption of this procedure does not create any right claim or cause of action against the District or its employees where such right claim or cause of action does not otherwise exist in the absence hereof.

## Drug Free Workplace

The unlawful manufacture, possession, use or distribution of illicit drugs, as defined by law, marijuana, and alcohol on school district premises or as part of any of the school district activities is specifically prohibited.

Observance of this policy is mandatory and a condition of employment. A violation shall subject the employee to appropriate disciplinary sanctions (consistent with local, state and federal law), including suspension and up to and including termination of employment and referral to the appropriate law enforcement agency for prosecution. A disciplinary sanction may include completion of an appropriate rehabilitation program.

Drug and alcohol counseling and rehabilitation and re-entry programs may be available through the District. The District encourages affected employees to seek assistance.

Each employee will be provided with a copy of this policy which sets forth the expected standards of conduct and the disciplinary sanctions which may be imposed as a result of a violation of this policy.

Pursuant to the provisions of federal law, any employee who is convicted of or pleads guilty or nolo contendere (no contest) to any criminal drug statute for a violation occurring in the workplace, shall notify the Superintendent or his designee within five days after the conviction. The District has the obligation and shall notify the appropriate Federal agency within 10 days after receiving notice of such conviction or plea if there is a relationship between federal funds received by the District and the convicted employee's work site.

The Board of Education shall conduct a biennial review of its drug and alcohol abuse prevention programs to determine the programs' effectiveness, to implement required changes if necessary, and to insure that disciplinary sanctions are consistently enforced.

### Smoking/Tobacco Use

It is the District's objective to provide a smoke and tobacco free environment. Smoking and the use of tobacco is prohibited within all areas of the building and on District property. This restriction applies to all employees, contractors, and visitors, at all times, including non-business hours.

## Physical and Mental Examination and Alcohol and Controlled Substance Testing

Employees of the Cherry Creek School District are subject to physical and mental examinations, and alcohol and controlled substances testing prior to and during employment. The following provisions of this policy set forth the circumstances and conditions when such examinations and testing will be required:

### A. Physical Examination - All Employees

After recommendation for employment but before employment commences, candidates for employment may be required to take and pass such physical and mental examinations as may be prescribed by the District. Results of such examinations shall be reported on forms provided by the District, or forms acceptable to the District, and shall be filed in the Office of Human Resources. All examinations shall be at the sole cost and expense of the candidate.

### B. Required Examination during Employment - All Employees

1. The superintendent or designee may require any employee within the school district to submit to a physical or mental examination, when he/she has reasonable suspicion to believe:
  - a. The welfare of the employee, students or other employees justifies such examination; or
  - b. That the employee's ability to perform his or her duties is impaired due to physical or mental reasons.

The District will pay the cost of the examination which shall be conducted by a physician of the District's choice. However, in the event the employee desires to utilize a personal physician, subject to the approval of the Superintendent or designee, to satisfy the employee's examination requirement, the employee may do so, provided the examination can be conducted within such time as may be reasonably required by the District. In such event, the private physician will be paid by the District an amount equal to the amount usually and customarily paid by the District to the physician selected by the District.

Following the examination, a written report shall be issued by the physician.

2. As a condition of continued employment with the District, all employees consent to a chemical test of their blood, urine or breath upon request of the Superintendent or designee. This test shall be ordered in the event the Superintendent or designee has reasonable suspicion to believe that the employee is under the influence of alcohol or drugs, or in the event of a reasonable suspicion that the employee's ability to perform his/her duties is impaired by the use of alcohol or drugs. The employee will be allowed up to thirty minutes to obtain representation of his/her choice. Any such tests shall be conducted at any hospital, clinic, or facility properly equipped to administer such tests and shall be performed by any doctor, nurse or technician properly qualified to administer such tests. The employee may not select the physician or technician to administer the tests. All such tests shall be paid for by the District.

The term drugs, as used herein, shall include, but not be limited to, those substances defined in CR5. 12-22-30 1 et. seq., known as the Colorado Controlled Substance Act of 1981.

- a. The failure or refusal of an employee to submit to any test required in paragraph 2 above, or to submit to and obtain the examinations required in paragraph 1 above, shall constitute insubordination, and shall result in:
  1. Immediate suspension without pay, except as required by Colorado Statute, and,
  2. Termination of employment being recommended to the Board of Education.
3. Alcohol and Controlled Substance (Drugs) Testing for Commercial Driver's License (CDL) Employees
  - a. The Omnibus Transportation Employee Testing Act of 1991 (the "ACT") and Department of Transportation rules, procedures and regulations (the "Regulations") require that the District conduct pre-employment/pre-duty, random, reasonable suspicion, post-accident, return to duty and follow-up testing of all District employees required to obtain a Commercial Driver's License ("CDL").
  - b. All alcohol and controlled substance testing performed under and pursuant to this Section C,

will be conducted in accordance with federal regulations, the Act and procedures adopted by the District.

1. Controlled substance testing will be conducted by means of a urine specimen collected and tested by a laboratory certified by the U.S. Department of Health and Human Services.
2. Alcohol testing will be conducted using an evidential breath-testing device.
3. Employees will not be entitled to have testing performed at a location or by an individual or facility other than that designated by the District. However, a split sample of the urine test for controlled substances will be available for the employee pursuant to District policy and federal regulations in the event the sample tested is confirmed positive.
4. An employee may not refuse to submit to alcohol and/or controlled substance testing under this Section C. Refusal shall result in immediate suspension of employment without pay and recommendation of termination to the Board.

C. The required testing under this Section C will be conducted at the District's expense and as follows:

1. Pre-employment testing shall be administered to all applicants offered a position in the District requiring a CDL prior to the first time the employee performs any safety-sensitive functions for the District.
2. Random alcohol testing shall be conducted at any time period surrounding the performance of safety-related functions, which includes just before or just after the employee performs the safety-related function. Random controlled substance testing shall be performed anytime while the employee is at work.
3. Reasonable suspicion testing will be conducted of any employee when a determination and observation is made by a trained supervisor and they have a reasonable suspicion to believe any employee has violated the District's policies and/or federal regulations relating to alcohol or controlled substance use or possession.
4. Post-accident testing will be conducted on any employee involved in an accident which results in the loss of human life or if the employee receives a citation for a moving traffic violation arising out of an accident.
5. Return to duty testing will be required prior to an employee being reinstated, if at all, after an employee has tested positive for prohibited alcohol concentration levels or the presence of a controlled substance and after the employee has undergone an evaluation by a substance abuse professional except as noted in No. 6 below.
6. Follow-up testing will be required of any employee identified by a substance abuse professional as needing assistance in resolving problems with alcohol misuse or controlled substance use and who has returned to duty.

D. Records of all tests will be maintained and kept confidential in accordance with District procedures and federal regulations.

E. All affected employees and employee organizations will be provided with educational materials which explain the requirements of this Section C, the District procedures and federal regulations related thereto.

F. The District encourages all employees with any alcohol abuse or controlled substance use to seek assistance through a Substance Abuse Professional (SAP) and will provide employees lists of individuals and organizations providing this service. Unless otherwise provided by law or District policy, the District is not required to provide rehabilitation, pay for substance abuse treatment or to reinstate an employee terminated for violations of District policy relating to the use or possession of alcohol or controlled substances.

G. Any employee who is determined, as the result of any of the required alcohol or controlled substance testing, to have violated any District policy relating to the use or possession of alcohol or controlled substances shall, consistent with state and federal law and District policies, be subject to disciplinary action, including termination of employment.