

**TENTATIVE AGREEMENT
BETWEEN
SCHOOL DISTRICT #1
DENVER PUBLIC SCHOOLS
AND
DENVER CLASSROOM TEACHERS ASSOCIATION**

Article 11 - Complaints Against Teachers/Administrative Leave/Corrective Action

11-1 Complaints Against Teachers. When a person makes a written or verbal complaint against a teacher, the principal or designee shall ~~promptly~~ notify the teacher of the complaint ~~and~~; the identity of the complainant within two working days after receiving the complaint, unless the principal/designee reasonably believes that the immediate sharing of any of this information could have a significant and negatively impact on an investigation, the complainant, and/or any other individual. ~~And the teacher shall be provided with as much information as possible and will be given the opportunity to respond.~~ The principal or designee shall investigate the complaint and attempt to resolve the complaint informally if appropriate. The teacher shall be given the opportunity to respond.

11-1-1 If appropriate, the principal or designee shall arrange a meeting with the complainant, the teacher and the principal or designee in an attempt to resolve the situation.

11-1-2 If any record of the complaint, or its formal or informal resolution, is placed in the teacher's files, the teacher shall have the right to file a written response within twenty (20) school days.

11-1-3 During an investigation, the teacher can have an Association Representative present during any scheduled interview(s) with a DPS Safety officer or when the principal believes that the basis of the conduct, if found to be true, would be the basis for termination of the teacher. In any other instance, the principal may determine, in his/her discretion, whether to permit the teacher to have an Association Representative in the investigatory meeting. The teacher shall have no less than twenty-four (24) hours notice that the meeting is to take place so that the teacher can notify the Association Representative and request that he/she be present. The District reserves the right to refuse the attendance of an Association Representative if the presence of the Representative would impede or unduly delay the investigation.

11-2 Administrative Leave. If a principal decides to place a teacher on administrative leave for the purpose of further investigation, the principal or designee shall meet with the teacher to give specific allegation(s) and the basic reason why the administrative leave for investigation is necessary, ~~when possible~~ unless law enforcement prohibits the communication of any information.

- 11-2-1 The meeting shall take place at the end of the school day or whenever it is appropriate.
- 11-2-2 The principal or designee shall provide the teacher a copy of the administrative leave checklist and review it with the teacher. The teacher shall sign the form only as acknowledgement of receipt and be given a copy of it for informational reference.
- 11-2-3 At the teacher's request a meeting will be held within three (3) school days, unless prohibited by a law enforcement investigation. The purpose of the meeting is to give the teacher an opportunity to respond. The teacher may have Association representation at the meeting.
- 11-2-4 The investigation will be completed as expeditiously as possible. If an investigation must extend beyond seven (7) calendar days, or if the administrative leave must be extended, the teacher and the Association will be notified by phone calls from the Department of Human Resources or designee the reasons for the extension and the expected date of completion of the investigation and/or leave.
- 11-2-5 During the investigation, the teacher placed on administrative leave will continue to receive full pay. All rules for active employees will continue to apply.
- 11-2-6 Following the completion of the investigation, the principal or designee shall meet with the teacher to share the results of the investigation and to give the teacher an opportunity to respond. The teacher may have Association representation at the meeting. The principal or designee shall determine appropriate resolution of the matter.
- 11-2-7 Administrative leave should be considered as an option to be used only when necessary to protect the students or staff or to conduct an appropriate investigation. Administrative leave is not a punitive action and there will be no record of the leave in a teacher's personnel file.
- 11-2-8 The Agreement Review Committee (ARC) will review on an annual basis administrative leaves for the prior year to ensure that the above procedures have been implemented appropriately.
- 11-3 Corrective Action.
- 11-3-1 Before taking a corrective action against a teacher, the principal or designee shall investigate the situation, meet with the teacher and give the teacher an opportunity to respond, and shall follow the requirements of Article 11-1-3 if applicable.
- ~~11-3-2~~ If, after the investigation is complete, a principal or designee determines it may be necessary to take a corrective action, the principal shall meet with the teacher and inform the teacher of his/her intent to consider potential corrective

action measures and allow the teacher the opportunity to have either another teacher or representation from the Association present at this meeting.

11-3-~~32~~ The principal or designee shall follow the procedures established in the District document “Basic Fairness and Due Process, A Guide for Corrective Discipline.”

11-3-~~43~~ Neither a letter of warning nor a letter of reprimand shall be issued, nor shall a teacher be suspended without pay, except for just cause.

DCTA Representative

DPS District 1 Representative

By: _____

By: _____

By: _____

By: _____

Date: _____

Date: _____