



*Selected Policies and Procedures for Parents,
Students, and Staff*

August 2018

www.mcsd.org



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August 2018

Dear Students and Parents,

Welcome back! The 2018-19 school year promises to be an exciting and challenging year for our students. There will be new opportunities for the students at each of our schools. For example, throughout the school district, expanded course offerings for students in STEM (Science, Technology, Engineering, and Math), making MCS D Colorado's first STEM school District. We will also have a new English/Language Arts program for grades K-5.

As a school district, we believe that our students are our number one priority. Helping each of our students to grow so they can be successful in their own unique way is the goal for the Montrose County School District. Success is measured differently for every student. The following pages are intended to provide information to the students and parents that will assist in helping the student to be successful.

The Montrose County School District has high expectations for our students. Teachers, Support Staff, Principals, School Board, and the District Office is committed to bringing this learning experience to our students, parents, and community.

I look forward to seeing you at school events and around our community. Have a great school year!

Sincerely,

Stephen Schiell
Superintendent



~ Colorado's First STEM District ~

Motivate Collaborate Support Develop

Montrose County School District RE-1J

Vision Statement

The Montrose and Olathe School District will ensure that all students have a safe and academically rigorous environment in which to learn. All students entering into our high schools will graduate with life skills and knowledge required to enter into the workforce, begin a career, attend college or other post-secondary education opportunities of their choice, without remediation.

Board of Education

Mr. Jeff Bachman, District A

Mr. Jacob Suppes, District B

Mrs. Gayle Johnson, District C

Mr. Tom West, District D

Mrs. Sarah Fishering, District E

Mrs. Phoebe Benziger, District F

Mr. Stephen Bush, District G

District Administration

Mr. Stephen Schiell, Superintendent

Dr. Jessica Beller, Director of Instructional Services

Wendy Dawson, Director of Exceptional Student Services

Michelle Pottorff, Director of Human Resources

Adam Rogers, Director of Finance

Dr. Steve McEwin, Director of Technology

Philip Bailey, Property Services Director

Montrose County School District RE-1J does not discriminate on the basis of race, color, national origin, sex, age or disability in hiring or employment practices, admission to its programs, services or activities, in access to them, in treatment of individuals, or in any aspect of their operations. The lack of English language skills shall not be a barrier to admission or participation in the district's activities and programs.

Questions, complaints, or requests for additional information regarding these laws may be forwarded to the designated compliance officer:

District Compliance Officer/Superintendent
930 Colorado Ave., PO Box 10,000, Montrose, CO 81402
(970) 249-7726 stephen.schiell@mcsd.org

or directly to the U.S. Department of Education, Office for Civil Rights, Region VIII, Federal Office Building 1244 North Speer Blvd., Suite #310, Denver, CO 80204.

Notice to Parents Regarding Information on Sex Offenders

The Colorado General Assembly has passed legislation requiring school districts in Colorado to provide information to parents and eligible students (students who are 18 years of age or older) identifying where and how members of the community may obtain information collected by law enforcement agencies related to registered sex offenders. In compliance with this statutory directive, Montrose County School District RE-1J is providing the contact information of the various law enforcement authorities operating within district boundaries. Interested parents, eligible students and community members may contact their local law enforcement agency to seek further information about registered sex offenders residing in the county. The contact information will also be available on the school district website, www.mcsd.org.

- The Montrose Police Department maintains the sex offender registry for offenders living within the city limits. The registry is available to the public for a minimal fee. To obtain a copy of the list, you can contact the Montrose Police Department in person at 434 S. First St., Monday through Thursday, from 7 a.m. to 6 p.m.

Sex offender information for all Colorado jurisdictions can be viewed on the Colorado Bureau of Investigation [Convicted Sex Offender Site](#).

NOTE: District policies may be subject to change during the course of the school year. The entire text of any policy and/or regulation is available on the district's website at: www.mcsd.org or upon request from the district administration office located at 930 Colorado Avenue, Montrose, CO 81401

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Legal Notifications

Nondiscrimination/Equal Opportunity (AC)

The Board is committed to providing a safe learning and work environment where all members of the school community are treated with dignity and respect. The schools in the district are subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, sex, sexual orientation, national origin, religion, gender expression, ancestry or need for special education services.

Accordingly, no otherwise qualified student, employee, applicant for employment or member of the public shall be excluded from participation in, be denied the benefits of, or be subjected to unlawful discrimination under any district program or activity on the basis of race, color, national origin, ancestry, gender expression, creed, religion, sex (which includes marital status), sexual orientation (which includes transgender), disability or need for special education services. Discrimination against employees and applicants for employment based on age and genetic information is also prohibited in accordance with state and/or federal law.

This policy and regulation shall be used to address all concerns regarding unlawful discrimination and harassment, except those regarding sexual harassment which are addressed in other Board policies listed in this policy's cross references.

In keeping with these statements, the following shall be objectives of this school district:

1. To promote the rights and responsibilities of all individuals as set forth in the state and federal constitutions, pertinent legislation, regulations, and applicable judicial interpretations.
2. To encourage positive experiences in terms of human values for children and adults who have differing personal and family characteristics or who come from various socio-economic, racial and ethnic groups.
3. To consider carefully, in all decisions made which affect the schools, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
4. To utilize educational experiences to build each individual's pride in the community in which he or she lives.
5. To initiate a process of reviewing all policies and practices of this school district in order to achieve the objectives of this policy to the greatest extent possible.
6. To investigate and resolve promptly any complaints of unlawful discrimination and harassment.
7. To provide a work environment that is pleasant, professional, and free from intimidation, hostility or inappropriate behavior which might interfere with work performance.
8. To investigate and appropriately discipline staff and students found to be responsible for incidents of harassment or unlawful discrimination in violation of Board policy.

Annual Notice

The district shall issue a written notice prior to the beginning of each school year that advises students, parents, employees, and the general public that the educational programs, activities and employment opportunities offered by the district are offered without regard to race, color, sex (which includes marital status), sexual orientation (which includes transgender), religion, national origin, ancestry, gender expression, creed, disability or need for special education services.

With respect to employment practices, the district shall also issue written notice that it does not discriminate on the basis of age or genetic information. The announcement shall also include the name/title, address, email address and telephone number of the person designated to coordinate Title IX and Section 504 and ADA compliance activities.

The notice shall be disseminated to persons with limited English language skills in the person's own language. It shall also be made available to persons who are visually or hearing impaired.

The notice shall appear on a continuing basis in all district media containing general information, including: teachers' guides, school publications, the district's website, recruitment materials, application forms, vacancy announcements, student handbooks, school program notices, summer program newsletters and annual letters to parents.

Harassment is Prohibited

Harassment based on a person's race, color, national origin, ancestry, gender expression, creed, religion, sex (which includes marital status), sexual orientation (which includes transgender), disability or need for special education services is a form of discrimination prohibited by state and federal law. Preventing and remedying such harassment in schools is essential to ensure a nondiscriminatory, safe environment in which students can learn, employees can work and members of the public can access and receive the benefit of district facilities and programs. All such harassment, by district employees, students and third parties, is strictly prohibited.

All district employees and students share the responsibility to ensure that harassment does not occur at any district school, on any district property, at any district or school-sanctioned activity or event, or off school property when such conduct has a nexus to the school, or any district curricular or non-curricular activity or event.

For purposes of this policy, harassment is any unwelcome, hostile and offensive verbal, written or physical conduct based on or directed at a person's race, color, national origin, ancestry, gender expression, creed, religion, sex (which includes marital status), sexual orientation, disability or need for special education services that: (1) results in physical, emotional or mental harm, or damage to property; (2) is sufficiently severe, persistent, or pervasive that it interferes with an individual's ability to participate in or benefit from an educational program or activity or creates an intimidating, hostile or threatening environment; or (3) substantially disrupts the orderly operation of the school. Board policy on sexual harassment will apply to complaints alleging sexual harassment.

Harassing conduct may take many forms, including but not limited to:

1. Verbal acts and name calling;
2. Graphic depictions and written statements, which may include use of cell phones or the Internet;
3. Other conduct that may be physically threatening, harmful or humiliating.

Reporting Unlawful Discrimination and Harassment

Any student who believes he or she has been a victim of unlawful discrimination or harassment as defined in Board policy, or who has witnessed such unlawful discrimination or harassment, shall immediately report it to an administrator, counselor, teacher or the district's compliance officer and file a complaint as set forth in the regulation which accompanies this policy.

Any employee, applicant for employment or member of the public who believes he or she has been a victim of unlawful discrimination or harassment, or who has witnessed such unlawful discrimination or harassment, shall file a complaint with either an immediate supervisor or the district's compliance officer.

If the individual alleged to have engaged in prohibited conduct is the person designated as the compliance officer, an alternate compliance officer shall be designated to investigate the matter, as specified in the accompanying regulation.

District Action

All district employees who witness unlawful discrimination or harassment shall take prompt and effective action to stop it, as prescribed by the district.

The district shall take appropriate action to promptly and impartially investigate allegations of unlawful discrimination and harassment, to end unlawful behavior, to prevent the recurrence of such behavior and to prevent retaliation against the individual(s) who files the complaint and/or any person who participates in the investigation. When appropriate, the district shall take interim measures during the investigation to protect against further unlawful discrimination, harassment or retaliation.

To the extent possible, all reports of unlawful discrimination or harassment will be kept confidential. Students or employees who knowingly file false complaints or give false statements in an investigation shall be subject to discipline, up to and including suspension/expulsion for students and termination of employment. No student, employee or member of the public shall be subject to adverse treatment in retaliation for any good faith report of harassment under this policy.

Upon determining that incidents of unlawful discrimination or harassment are occurring in particular district settings or activities, the district shall implement measures designed to remedy the problem in those areas or activities.

Any student or employee who engages in unlawful discrimination or harassment shall be disciplined according to applicable Board policies and the district shall take reasonable action to restore lost educational or employment opportunities to the victim(s).

In cases involving potential criminal conduct, the compliance officer shall determine whether appropriate law enforcement officials should be notified.

Notice and Training

To reduce unlawful discrimination and harassment and ensure a respectful school environment, the administration is responsible for providing notice of this policy to all district schools and departments. The policy and complaint process shall be referenced in student and employee handbooks and otherwise available to all students, staff and members of the public through electronic or hard-copy distribution.

Students and district employees shall receive periodic training related to recognizing and preventing unlawful discrimination and harassment. District employees shall receive additional training related to handling reports of unlawful discrimination and harassment. The training will include, but not limited to:

- Awareness of groups protected under state and federal law and/or targeted groups;
- How to recognize and react to unlawful discrimination and harassment; and
- Proven harassment prevention strategies.

(December 1996)

(Revised June 2018)

Resolution of Discrimination Complaints (Compliance with Title IX, Title VI and Section 504) (AC-R)

The district is committed to providing a working and learning environment that is free from unlawful discrimination and harassment. The district shall promptly respond to concerns and complaints of unlawful discrimination and/or harassment; take action in response when unlawful discrimination and/or harassment is discovered; impose appropriate sanctions on offenders in a case-by-case manner; and protect the privacy of all those involved in unlawful discrimination and/or harassment complaints as required by state and federal law. When appropriate, the complaint shall be referred to law enforcement for investigation.

The district has adopted the following procedures to promptly and fairly address concerns and complaints about unlawful discrimination and/or harassment. Complaints may be submitted orally or in writing.

DEFINITIONS:

1. “**Compliance officer**” means a district employee designated by the Board to receive complaints of alleged unlawful discrimination and harassment. The compliance officer shall be identified by name/title, address, telephone number and email address. See exhibit AC-E-1. If the designated individual is not qualified or is unable to act as such, the superintendent shall designate another district employee who shall serve until a successor is appointed by the Board.
2. “**Aggrieved individual**” shall mean a student, the parents or guardians of a student under the age of 18 acting on behalf of a student, an employee of the district, or member of the public who is directly affected by and/or is witness to an alleged violation of Board policies prohibiting unlawful discrimination or harassment.

Compliance Officer’s Duties

The compliance officer shall be responsible for conducting an investigation and coordinating all compliant procedures and processes for any alleged violation of federal or state statute or Board policy prohibiting unlawful discrimination or harassment.

The compliance officer's duties shall include providing notice to students, parents/guardians of students, employees and the general public concerning the compliance process, providing training for district staff regarding the prohibition of discrimination/harassment in all district programs, activities and employment practices, disseminating information concerning the forms and procedures for the filing of complaints, ensuring the prompt investigation of all complaints, coordinating hearing procedures, and identifying and addressing any patterns or systemic problems that arise during the review of complaints. The compliance officer may delegate any or all of the foregoing responsibilities as necessary and/or appropriate under the circumstances.

Complaint Procedure

An aggrieved individual is encouraged to promptly report the incident as provided in Board policy and this regulation. All reports received by teachers, counselors, principals or other district employees shall be promptly forwarded to the compliance officer. If the compliance officer is the individual alleged to have engaged in the prohibited conduct, the complaint shall be forwarded to the superintendent.

Any aggrieved individual may file with the compliance officer a complaint charging the district, another student or any school employee with unlawful discrimination or harassment. Complaints may be made orally or in writing. Persons who wish to file a written complaint shall be encouraged to use the form in AC-E-2.

All complaints shall include a detailed description of the alleged events, the dates the alleged events occurred and names of the parties involved, including any witness. The complaint shall be made as soon as possible after the incident.

The compliance officer shall confer with the aggrieved individual and/or the alleged victim of the unlawful discrimination or harassment as soon as is reasonably possible, but no later than 20 calendar days following the district's receipt of the complaint in order to obtain a clear understanding of the basis of the complaint.

Within 10 calendar days following the initial meeting with the aggrieved individual and/or alleged victim, the compliance officer shall attempt to meet with the individual alleged to have engaged in the prohibited conduct and, if a student, his or her parents/guardians in order to obtain a response to the complaint. Such person(s) shall be informed of all allegations that, in the compliance officer's judgment, are necessary to achieve a full and accurate disclosure of material information or to otherwise resolve the complaint.

At the initial meetings, the compliance officer shall explain the avenues for informal and formal action, provide a description of the complaint process, and explain that both the victim and the individual alleged to have engaged in prohibited conduct have the right to exit the informal process and request a formal resolution of the matter at any time. The compliance officer shall also explain that whether or not the individual files a written complaint or otherwise requests action, the district is required by law to take steps to correct the unlawful discrimination or harassment and to prevent recurring unlawful discrimination, harassment or retaliation against anyone who makes a report or participates in an investigation. The compliance officer shall also explain that any request for confidentiality shall be honored so

long as doing so does not preclude the district from responding effectively to prohibited conduct and preventing future prohibited conduct.

Informal Action

If the aggrieved individual and/or the individual alleged to have engaged in the prohibited conduct requests that the matter be resolved in an informal manner and/or the compliance officer believes that the matter is suitable to such resolution, the compliance officer believes that the matter is suitable to such resolution, the compliance office may attempt to resolve the matter informally through mediation, counseling or other non-disciplinary means.

If both parties feel a resolution has been achieved through the informal process, then no further compliance action must be taken.

No party shall be compelled to resolve a complaint of unlawful discrimination or harassment informally and either party may request an end to an informal process at any time. Informal resolution shall not be used to process complaints against a school employee and shall not be used between students where the underlying offense involves a sexual assault or other act of violence.

Formal Action

If informal resolution is inappropriate, unavailable or unsuccessful, the compliance officer shall promptly investigate the allegations to determine whether and/or to what extent, unlawful discrimination or harassment has occurred. The compliance officer may consider the following types of information in determining whether unlawful discrimination or harassment occurred:

- a) Statements by any witness to the alleged incident,
- b) Evidence about the relative credibility of the parties involved,
- c) Evidence relative to whether the individual alleged to have engaged in prohibited conduct has been found to have engaged in prohibited conduct against others,
- d) Evidence of the aggrieved individual and/or alleged victim's reaction or change in behavior following the alleged prohibited conduct,
- e) Evidence about whether the alleged victim and/or aggrieved individual took action to protest the conduct,
- f) Evidence and witness statements or testimony presented by the parties involved,
- g) Other contemporaneous evidence, and/or
- h) Any other evidence deemed relevant by the compliance officer.

In deciding whether conduct is a violation of law or policy, all relevant circumstances shall be considered by the compliance officer, including:

- a) The degree to which the conduct affected one or more student's education or one or more employee's work environment,
- b) The type, frequency and duration of the conduct,
- c) The identity of and relationship between the individual alleged to have engaged in the prohibited conduct and the aggrieved individual and/or alleged victim,
- d) The number of individuals alleged to have engaged in the prohibited conduct and number of victims of the prohibited conduct,
- e) The age of the individual alleged to have engaged in the prohibited conduct and the aggrieved individual and/or alleged victim,
- f) The size of the school, location of the incident and context in which it occurred,
- g) Other incidents at the school

The compliance officer shall prepare a written report containing findings and recommendations, as appropriate, and submit the report to the superintendent within 10 calendar days following the compliance officer's receipt of the complaint or 10 calendar days following the termination of the informal resolution process.

The compliance officer's report shall be advisory and shall not bind the superintendent or the district to any particular course of action or remedial measure.

Within 10 calendar days after receiving the compliance officer's findings and recommendation, the superintendent or designee shall determine any sanctions or other action deemed appropriate, including if appropriate recommendations to the Board for disciplinary or other action.

To the extent permitted by federal and state law, all parties, including the parents/guardians of all students involved, shall be notified in writing by the superintendent of the final outcome of the investigation and all steps taken by the district within 10 calendar days following the superintendent's determination.

Hearing Procedure

For allegations under Section 504 and as otherwise required by law, the aggrieved individual may request a hearing. This hearing procedure will not address guilt or innocence or disciplinary consequences which shall instead be governed by the Board's discipline policies and procedures.

The district shall retain a person to serve as the impartial hearing officer, who shall be knowledgeable about Section 504 and/or the ADA, if applicable. The hearing shall be informal and shall be recorded. Formal rules of evidence shall not apply. A student shall be entitled to be represented by his/her parent or by an attorney. An employee shall be entitled to be represented by an attorney or other representative of his/her choice. The complainant may appear at the hearing and shall be entitled to present testimony and other evidence. A district representative shall likewise be entitled to present testimony and other evidence. The hearing shall be closed to the public.

Within 10 calendar days after the hearing, the hearing officer shall issue a written decision based upon evidence presented at the administrative hearing, including any remedial or corrective action deemed appropriate. Remedial actions shall include measures designed to stop the unlawful discrimination or harassment, correct its negative impact on the affected individual, ensure that the conduct does not recur, and restore lost educational opportunities.

After the hearing officer has issued his or her decision, the recording of the hearing, all physical and documentary evidence and all other items comprising the record of the hearing shall be returned to the district.

Either party may seek review of the hearing officer's decision in a court of competent jurisdiction, in accordance with applicable law and applicable timelines for requesting such review.

Nothing contained herein shall be interpreted to confer upon any person the right to a hearing independent of a Board policy, administrative procedure, statute, rule, regulation or agreement expressly conferring such right.

This process shall apply, unless the context otherwise requires and unless the requirements of another policy, procedure, statute, rule, regulation or agreement expressly contradicts with this process, in which event the terms of the contrary policy, procedure, law, rule, regulation or agreement shall govern.

Outside Agencies

In addition to, or as an alternative to, filing a complaint pursuant to this regulation, a person may file a discrimination complaint with the U.S. Department of Education, Office for Civil Rights (OCR); the Federal office of Equal Employment Opportunity Commission (EEOC); or the Colorado Civil Rights Division (CCRD). The addresses of these agencies are listed below.

Denver Office for Civil Rights (OCR), U.S. Department of Education, 1244 Speer Blvd., Suite 310, Denver, CO 80204-3582. Toll Free: 800-262-4845 English/Spanish. Telephone: 303-844-5695. Fax: 303-844-4303. TTY: 303-844-3417. Email: OCRDenver@ed.gov
Federal Office of Equal Employment Opportunity Commission (EEOC), 303 E. 17th Avenue, Denver, CO 80203. Toll Free: 800-669-4000. Fax: 303-866-1085. TTY: 800-669-6820. Email: info@eeoc.gov

Colorado Civil Rights Division (CCRD), 1560 Broadway, Suite 1050, Denver, CO 80202. Toll Free: 800-262-4845. Telephone: 303-894-2997. Fax: 303-894-7830. Email: dora_CCRD@state.co.us

(December 1996)
(Revised April 2016)

Resolution of Discrimination Complaints (Compliance with Title IX, Title VI and Section 504) (AC-E-1)

In compliance with Titles VI & VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act of 2008, and Colorado law, Montrose County School District RE-1J, does not unlawfully discriminate on the basis of race, color, sex, religion, national origin, ancestry, creed, age, marital status, sexual orientation (which includes transgender), genetic information, disability or need for special education services in admissions, access to, treatment, or employment in educational programs or activities which it operates. Complaint procedures have been established for students, parents, employees and members of the public. The following person(s) have been identified as the compliance officer for the district:

Superintendent
P. O. Box 10,000, 930 Colorado Ave
Montrose, CO 81402
Phone: 249-7726

Outside agencies

Complaints regarding violations of Title VI, (race, national origin), Title IX (sex/gender), Section 504/ADA (handicap or disability), may be filed directly with the Office for Civil Rights, U.S. Department of Education, 1244 North Speer Blvd., Suite 310, Denver, CO 80204.

Complaints regarding violations of Title VII (employment) and the ADEA (prohibiting age discrimination in employment) may be filed directly with the Federal Office of Equal Employment Opportunity Commission, 303 E. 17th Ave., Suite 510, Denver, CO 80202, or the Colorado Civil Rights Commission, 1560 Broadway, Suite 1050, Denver, CO 80202.

(April 2016)

(Revised June 2018)

Equal Educational Opportunity (JB)

Every student of this school district shall have equal educational opportunities through programs offered in the school district regardless of race, color, ancestry, creed, sex, sexual orientation (which includes transgender), religion, national origin, marital status, disability or need for special education services.

The concept of equal education opportunity shall guide the Board and staff in making decisions related to school district facilities, selection of educational materials, equipment, curriculum and regulations affecting students. The district shall make accommodations for students with identified physical and mental impairments that constitute disabilities, consistent with the requirements of federal and state laws and regulations in order to provide a free, appropriate public education which includes any necessary aids and services.

In order to ensure that district programs are in compliance with applicable laws and regulations, the Board directs the superintendent or designee(s) to periodically monitor the following areas:

1. Curriculum and materials – review curriculum guides, textbooks and supplemental materials for discriminatory bias.
2. Training – provide training for students and staff to identify and alleviate problems of discrimination.
3. Student access – review programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
4. District support – ensure that district resources are equitably distributed among school programs including but not limited to staffing and compensation, facilities, equipment and related matters.
5. Student evaluation instruments – review of tests, procedures and guidance and counseling materials for stereotyping and discrimination.
6. Discipline – review discipline records and any relevant data to ensure the equitable implementation and application of Board discipline policies.

(January 1995)

(Revised June 2018)

Notification of Rights Under the Family Educational Rights and Privacy Act. 20 USC 1232 (g) for Elementary and Secondary Institutions (FERPA)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

For additional information, you may call 1-800-USA-LEARN (1-800-872-5327) (voice). Individuals who use TDD may use the Federal Relay Service.

Or you may contact us at the following address:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-8520

Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)

PPRA affords parents of elementary and secondary students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

- Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED) –
 1. Political affiliations or beliefs of the student or student’s parent;
 2. Mental or psychological problems of the student or student’s family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or student’s parent; or
 8. Income, other than as required by law to determine program eligibility.
- Receive notice and an opportunity to opt a student out of –
 1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 3. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)
- Inspect, upon request and before administration or use –
 1. Protected information surveys of students and surveys created by a third party;
 2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 3. Instructional material used as part of the educational curriculum.
- These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

- Montrose County School District RE-1J has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. [School District] will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. [School District] will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. [School District] will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this direct notification requirement:

1. Collection, disclosure, or use of personal information collected from students for marketing, sales, or other distribution.
2. Administration of any protected information survey not funded in whole or in part by ED.
3. Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Sex Offender Information (JLFF)

At the beginning of each school year, the district shall provide written information to parents and eligible students identifying where and how members of the community may obtain information collected by law enforcement agencies related to registered sex offenders. This information will also be posted on the district's website.

(March 2016)

Notice to Parents and Students Regarding the Screening/Testing of Students (JLDAC)

Parents/guardians and eligible students have the right to review, any survey, assessment, analysis or evaluation administered or distributed by a school to students whether created by the district or a third party. For purposes of this policy, “eligible student” means a student 18 years of age or older or an emancipated minor. Any survey, assessment, analysis or evaluation administered or distributed by a school to students shall be subject to applicable state and federal laws protecting the confidentiality of student records.

Survey, Assessment, Analysis or Evaluation for Which Consent is Required

Except as otherwise permitted by law, students shall not be required to submit to a survey, assessment, analysis, or evaluation that is intended to reveal information, whether the information is personally identifiable or not without prior written consent of the parent/guardian or eligible student, if that survey, assessment, analysis, or evaluation reveals information in the following areas (“protected information”).

1. political affiliations or beliefs of the student or the student’s parent/guardian
2. mental or psychological problems of the student or the student’s family
3. sex behavior or attitudes
4. illegal, anti-social, self-incriminating or demeaning behavior
5. critical appraisals of other individuals with whom the student has a close family relationship
6. legally recognized privileged or analogous relationships, such as those with lawyers, physicians and ministers
7. religious practices, affiliations or beliefs of the student or the student’s parent/guardian
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
9. Social security number

School personnel responsible for administering any such survey, assessment, analysis or evaluation shall give written notice at least two weeks in advance to the student’s parent/guardian or the eligible student and shall make a copy of the document available for viewing at convenient times and locations. The notice shall offer to provide the following written information upon request:

1. records or information that may be examined and required in the survey, assessment, analysis or evaluation
2. the means by which the records or information shall be examined, reviewed, or disseminated
3. the means by which the information is to be obtained
4. the purposes for which the records or information are needed
5. the entities or persons, regardless of affiliation, who will have access to the information; and
6. a method by which a parent/guardian can grant or deny permission to access or examine the records or information.

These notice provisions also apply to any survey, analysis or evaluation funded by the U.S. Department of Education.

Exceptions to Policy

Nothing in this section of the policy shall:

1. prevent a student who is working under the supervision of a journalism teacher or sponsor from preparing or participating in a survey, assessment, analysis or evaluation without obtaining consent as long as such participation is not otherwise prohibited by law
2. be construed to prevent a district employee from reporting known or suspected child abuse or neglect as required by state law
3. be construed to limit the ability of a health professional that is acting as an agent of the school district to evaluate an individual child
4. be construed to require parental notice or consent for a survey, assessment, analysis or evaluation related to educational products or services for or to students or educational institutions. These products and services include, but are not limited to, the following:
 - college or other postsecondary education recruitment or military recruitment activities
 - book clubs, magazines and programs providing access to low-cost literary products
 - curriculum and instructional materials used by district schools
 - tests and assessments used by district schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students
 - the sale by students of products or services to raise funds for school-related or education-related activities
 - student recognition programs

Surveys, Assessment, Analysis or Evaluation for Marketing Purposes

Parents/guardians and eligible students shall receive notice and have the opportunity to opt a student out of activities involving the collection, disclosure or use of personal information collected from the student for the purpose of marketing or selling that information or otherwise providing the information to others for that purpose.

Annual Notice

At the beginning of each academic year, the district shall inform parents/guardians and eligible students that the parent/guardian or eligible student has the right to consent before students are required to submit to a survey that concerns one or more of the protected areas and to opt out of the following:

1. activities involving the collection, disclosure or use of personal information collected from students for the purpose of marketing or for selling that information;
2. the administration of any protected information survey; or
3. any non-emergency, invasive physical examination or screening (other than a hearing, vision or scoliosis screening) that is:
 - required as a condition of attendance;
 - administered by the school and scheduled by the school in advance; and
 - not necessary to protect the immediate health and safety of the student or of other students.

Psychiatric/Psychological/Behavior Testing Methods or Procedures

School personnel are prohibited under state law from recommending or requiring the use of psychotropic drugs for students. They are also prohibited from testing or requiring testing for a student's behavior without giving notice to the parent/guardian describing the recommended testing and how any test results will be used. Prior to conducting any such testing, school personnel shall obtain written permission from the parent/guardian or eligible student in accordance with applicable law.

School personnel are encouraged to discuss concerns about a student's behavior with the parent/guardian, and such discussions may include a suggestion that the parent/guardian speak with an appropriate health care professional regarding any behavior concerns that school personnel may have. Only those persons appropriately certified or licensed may expose students to any psychiatric or psychological method or procedure for the purpose of diagnosis, assessment or treatment of any emotional, behavioral or mental disorder or disability. Such methods or procedures may only be performed after acquiring written permission from a student's parent or guardian, or from the student in those circumstances in which federal or state law allows the student to obtain such services in confidence or without prior notice to the parent/guardian.

Licensed school personnel are encouraged to be knowledgeable about psychiatric or psychological methods and procedures but shall not be involved in any diagnosis, assessment or treatment of any type of mental disorder or disability unless appropriately certified. In accordance with state law, school personnel including certified school psychologists are not authorized to practice psychotherapy or utilize any psychiatric or psychological procedure outside of or beyond their area of training, experience or competence.

Ordinary classroom instruction, activities and techniques involving the approved curriculum that teach about psychological or psychiatric methods or procedures shall be permissible and considered outside the scope of this policy. It is understood that there is a significant difference between practicing therapy and providing activities that may be therapeutic in nature. Any teacher who questions whether a planned activity is one involving psychiatric or psychological methods or procedures for which the teacher may not be properly certified or licensed shall consult with the school principal.

Special Education Evaluation

The giving of parental permission for evaluation or re-evaluation of a student with disabilities and any required consent to the provision of special education services to a student with disabilities is governed by state and federal law and is outside the scope of this policy.

(October 2001)
(Revised April 2017)

General Information

Asbestos Notification

- The District maintains an asbestos management plan as required by the United States Environmental Protection Agency's Asbestos Hazard Emergency Response Act. Regulatory oversight of the District's asbestos management plan is performed by the Air Pollution Control Division of the Colorado Department of Public Health and Environment. The purpose of this required notice is to inform staff members and parents of all students of the existence and locations of the District's asbestos management plan.

- The District's asbestos management plan identifies the location and condition of known and suspected asbestos materials located in all buildings throughout the District. The management plan also documents the continuing inspection and maintenance of these asbestos containing materials. The management plan is available for review in the office area of all schools or can be viewed at the Central Administration Maintenance Office located at 930 Colorado Avenue, Montrose, CO. Please contact Dane Tunget at 970-275-4691 for more information regarding the District's asbestos management plan.

- School campuses and facilities that are known, or assumed, to contain asbestos building materials are: Olathe Elementary, Northside Elementary, Oak Grove Elementary, Pomona Elementary, Olathe Middle High School, Columbine Middle School, Centennial Middle School, Montrose High School, Peak, Johnson Elementary School, and Cottonwood Elementary School.
 - Plateau Environmental has performed the required 3 year AHERA book updates, and is in the process of creating new management plans for the Montrose County School District.

Student Code of Conduct

Guiding Document for School Discipline Philosophy and Guidelines Citizenship: The MCSD 3R's

At Montrose County School District, we are committed to an ethic rooted in deep caring. It is our philosophy that any disciplinary actions or interventions should be grounded in the idea that the purpose of that intervention should be **to hold students accountable** for their behavior and ultimately **change the behavior** rather than administer “punishment.”

In this way, Montrose and Olathe Staff work with students in a Positive Behavior Support model so that they may become managers of their own attitudes and actions. Positive Behavior Supports is taught and reinforced through **The MCSD 3R's: Be Respectful, Be Responsible, and Be Ready.**

We discuss with students how they can become better students and cooperative members of our community through the **respect** for ourselves, each other, and the world around us, as well as teaching the practice of **responsibility**, and **readiness**. These characteristics are discussed within the classroom as well as in school-wide assemblies, and reinforced on a daily basis within the context of a school-wide program.

Giving Life to Learning

At Montrose County Schools, we believe in restorative discipline, meaning that anyone who makes a mistake, creates mischief or causes mayhem should be given the opportunity to “make it right” again. All three require disciplinary measures to give life to a child’s learning.

MISTAKE - minor inappropriate behaviors

Examples: *Student comes to class unprepared. / Teacher overhears students using inappropriate and derogatory language amongst peers.*

If a child makes a mistake or an inappropriate choice, they will be given the opportunity to do the following:

1. **Own it.** Accepting responsibility for the action.
2. **Fix it.** Figuring out a plan for how to make the situation “right”.
3. **Learn from it.** Within every action and choice, we have an opportunity to learn how to better handle a situation differently in the future.
4. **Move on.** We recognize that we are not the sum total of our mistakes, and once we own it, fix it, and learn from it, we also have the opportunity to move on from it.

MISCHIEF - non-malicious behaviors or habitual mistakes causing trouble, irritation, damage or destruction

Example: *A Students playing around in a hallway and bumping into other students*

If a child creates mischief, they will be given the opportunity to do the following:

1. **Own it.** Accepting responsibility for the action.
2. **Fix it.** Figure out a plan for how to make the situation “right,” and to fix the damage that was done.
3. **Learn from it.** Figure out ways to keep it from happening again, and ways to take a more productive path.
4. **Move on:** Just as with mistakes, once we own it, fix it, and learn from it, we also have the opportunity to move on from the mischief we created. However, since mischief involves intent, there must be more active commitment on the part of the child to make sure the mischievous actions do not happen again.

MAYHEM the willful or deliberate breaking of a rule or policy

Example: *Fights, drugs, weapons or alcohol at school. Student interactions designed to taunt or harass*

If a person causes mayhem, they will be **required** to do the following:

1. **Own it:** Accepting responsibility for the action.
2. **Fix it.** Figure out a plan for how to make the situation “right,” and to fix the damage.
3. **Learn from it.** Figure out ways to keep it from happening again, and ways to take a more productive path.
4. **Move on.** Just as with mistakes and mischief, once we own it, fix it, and learn from it, we also have the opportunity to move on from the mayhem we created. However, since mayhem involves intent to cause harm or to purposely hurt ourselves or others, there is an obligation and there must be commitment to go through the full process of restorative discipline:
 - a. **Restitution:** own and fix what was done to the best of our ability.
 - b. **Resolution:** to figure out what was behind the intent to harm or hurt and remedy that; to find constructive ways to keep it from happening again.
 - c. **Reconciliation:** to heal with the person who was harmed to the best of our ability.

Levels of Disciplinary Response

A progressive discipline process which can include restorative discipline. When a student is referred to the office for any misconduct

*Montrose and Olathe schools use **RSVP: Reasonable, Simple, Valuable, and Practical** to guide their disciplinary decisions .*

Parents are asked to take an **ACTIVE ROLE** in the development of their child’s behavior at school by conferring regularly with their child, their child’s teacher, the Counselor, the Assistant Principal, and/or the Principal.

Strategies for Promoting Positive Behavior

Positive relationships and effective communication help children learn. When our homes, schools, and communities are free from fear, anger, blame, and other distractions, students are more likely to succeed and develop as whole human beings. Parents are asked to take an ACTIVE ROLE in the development of their child's behavior at school by conferring regularly with their child, their child's teacher, the Counselor, the Assistant Principal, and/or the Principal.

Ways Parents Can Support the Montrose School District's 3R's

Being Respectful. We can help our children be respectful of others by modeling basic social interactions, saying "please", "thank you", and "excuse me" to each other, and people we come in contact with on a daily basis. Furthermore, modeling respectful behavior towards others even when we disagree with them is a valuable way for young people to successfully adopt respectful behaviors.

Being Responsible. Teaching responsibility makes your children more self-reliant and independent. Some ways you can do this is by assigning young people some age-appropriate accountability such as picking up after themselves, dressing themselves appropriately for weather and specific school functions, or having age-appropriate "jobs" at home. Certainly, modeling any skill, in this case that of responsibility is the best way to teach it.

Being Ready. This skill goes along with becoming more self-reliant. In order to promote readiness, please allow your child opportunities to practice this, such as packing their own backpack. You can also begin to use timers at home that give them clues for how much longer they have, for example, until it is time to get their shoes on, get in the car to go to school, or when homework time needs to begin. One very important way to help your children, especially older children to be ready is to help them be organized and stay organized so they know where everything is and can easily find things and "get ready" when it is time.

Using the Language of the 3R's. Please reinforce these concepts by using the language we are using in school. Tell your child when they are doing a good job being Respectful, Responsible, or Ready. Please be specific in your praise in order for that praise to be most effective.

For more information about this philosophy, please see the book kids are worth it! (Harper Collins 2010)

Student Discipline (JK)

The Board believes that effective student discipline is a prerequisite for sound educational practice and productive learning. The objectives of disciplining any student must be to help the student develop a positive attitude toward self-discipline and socially acceptable behavior. All policies and procedures for handling general student discipline problems shall be designed to achieve these broad objectives.

The Board in accordance with applicable law has adopted a written student conduct and discipline code based upon the principle that every student is expected to follow accepted rules of conduct and to show respect for and to obey persons in authority. The code also emphasizes that certain behavior, especially behavior that disrupts the classroom, is unacceptable and may result in disciplinary action. The code shall be enforced uniformly, fairly and consistently for all students.

All Board-adopted policies and Board-approved regulations containing the letters "JK" in the file name constitute the discipline section of the legally required code.

The Board shall consult with administrators, teachers, parents, students and other members of the community in the development and review of the student conduct and discipline code.

Remedial Discipline Plans

The principal may develop a remedial discipline plan for any student who causes a material and substantial disruption in the classroom, on school grounds, in school vehicles or at school activities or events. The goal of the remedial discipline plan shall be to address the student's disruptive behavior and educational needs while keeping the child in school.

Discipline of Habitually Disruptive Students

Students who have caused a material and substantial disruption, on school grounds, in a school vehicle or at a school activity or sanctioned event three or more times during the course of a school year shall be declared habitually disruptive students. Any student enrolled in the district's schools may be subject to being declared a habitually disruptive student. Declaration as a habitually disruptive student may result in the student's suspension and/or expulsion in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

Distribution of Conduct and Discipline Code

The conduct and discipline code shall be provided to each student upon enrollment in elementary, middle, and high school. The district shall take reasonable measures to ensure each student is familiar with the code. Copies shall be posted or kept on file in each school of the district. In addition, any significant change in the code shall be distributed to each student and posted in each school.

(October 1996)

(Revised October 2017)

Student Discipline (JK-R)

Remedial Discipline Plans

1. The principal may develop a plan for any student who causes a material and substantial disruption in the classroom, on school grounds, in school vehicles or at school activities or events. The goal of the remedial plan shall be to address the student's disruptive behavior and educational needs while keeping the child in school.

2. To develop the plan, the principal will arrange for a meeting with the student, the student's parent/guardian and any members of the staff whom the principal believes should attend.
3. The purpose of the meeting will be to address the reasons for the student's disruptive behavior and to establish goals, objectives and timelines to modify such behavior. A written plan will be prepared which addresses the child's disruptive behavior, educational needs and what steps are necessary to keep the child in school. The plan will include incentives for good behavior and consequences if the student violates the plan.
4. The plan may be written in the form of a contract which the student and the parent/guardian will sign and date.
5. The parent/guardian will be provided a copy of the remedial discipline plan and it will be placed in the student's cumulative file.

Habitually Disruptive Students

A student will be declared "habitually disruptive" if three or more times during the course of the school the student causes a material and substantial disruption, on school grounds, in a school vehicle or at a school activity or sanctioned event

1. The principal will inform the superintendent if when a student causes a second material and substantial disruption.
2. The student and the parent/guardian will be notified in writing of each suspension which counts toward declaring the student habitually disruptive. The student and parent/guardian will also be notified in writing and by telephone or other oral communication of the definition of "habitually disruptive student".
3. A student who has been declared habitually disruptive shall be suspended and/or expelled in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

(October 1996)

(Revised April 2017)

Discipline of Students with Disabilities

(JK-2)

Students with disabilities are neither immune from a school district's disciplinary process nor entitled to participate in programs when their behavior impairs the education of other students. Students with disabilities who engage in disruptive activities and/or actions dangerous to themselves or others will be disciplined in accordance with their Individual Education Programs (IEP's), any behavioral intervention plan and this policy.

Nothing in this policy shall prohibit an IEP team from establishing consequences for disruptive or unacceptable behavior as a part of the student's IEP and/or behavioral intervention plan.

Suspensions, Expulsions and Provision of Services

Students with disabilities may be suspended for up to 10 school days in any given school year for violations of the student code of conduct. These 10 days need not be consecutive. During any such suspension, the student shall not receive educational services.

A disciplinary change of placement occurs when a student is removed for more than 10 consecutive school days or subjected to a series of removals that constitute a pattern of removal under governing law.

Upon the eleventh school day of suspension or removal when such suspension or removal does not result in a disciplinary change of placement, educational services shall be provided to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. School personnel, in consultation with at least one of the student's teachers, shall determine the educational services to be provided to the student during this period of suspension or removal.

When a student is expelled or subject to a removal that results in a disciplinary change of placement, educational services shall be provided as determined by the student's IEP team to enable the student to participate in the general education curriculum, although in another setting, and to progress toward meeting his or her IEP goals.

Prior to expulsion or other disciplinary change in placement, the student's parents/guardians shall be notified of the decision to take such disciplinary action and of their procedural safeguards. This notification shall occur not later than the date on which such decision is made.

Within 10 school days from the date of the decision to take disciplinary action that will result in a disciplinary change of placement, relevant members of the student's IEP team, including the student's parents/guardians, shall review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents, to determine whether the student's behavior was a manifestation of the student's disability.

The team shall determine: (1) whether the student's conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; and (2) whether the student's conduct in question was the direct result of the school's failure to implement the student's IEP. If the answer to either of these questions is "yes," the student's behavior shall be deemed to be a manifestation of the student's disability.

Disciplinary Action for Behavior That is not a Manifestation

If the team determines that the student's behavior was not a manifestation of the student's disability, disciplinary procedures shall be applied to the student in the same manner as applied to non-disabled students. As stated above, the student shall receive educational services during the period of expulsion or other disciplinary change of placement.

Within a reasonable amount of time after determining that the student's behavior is not a manifestation of the student's disability, the student may receive, as appropriate, a functional behavioral assessment ("FBA"). In addition, a behavioral intervention plan (BIP) may be developed for the student, as appropriate. If a BIP has already been developed, the BIP may be reviewed and modified, as appropriate.

Disciplinary Action and/or Alternative Placement for Behavior that is a Manifestation

If the team determines that the student's behavior is a manifestation of the student's disability, expulsion proceedings or other disciplinary change of placement will be

discontinued. However, the student may be placed in an alternative setting for up to 45 school days as discussed below or the student's placement may be otherwise changed for educational reasons as determined by the IEP team or as otherwise permitted by law.

Within a reasonable amount of time after determining that the student's behavior is a manifestation of the student's disability, the student's IEP team shall: (1) conduct an FBA of the student, unless an FBA has already been conducted; and (2) implement a BIP for the student. If a BIP has already been developed, the IEP team shall review it and modify it as necessary to address the student's behavior.

Placement in an Alternative Setting for 45 School Days

School personnel may remove a student with disabilities to an interim alternative setting for not more than 45 school days if:

1. The student carried a weapon to school or a school function;
2. The student possessed a weapon at school or a school function;
3. The student possessed or used illegal drugs at school or a school function;
4. The student sold or solicited the sale of a controlled substance at school or a school function;
5. The student inflicted serious bodily injury on another person while at school or a school function; or
6. A hearing officer or court of appropriate jurisdiction so orders.

Such removal to an alternative setting is permissible even if the student's behavior is determined to be a manifestation of the student's disability. The student's IEP team shall determine the educational services to be provided to the student in the alternative setting.

Students not Identified as Disabled

Students who have not been identified as disabled shall be subjected to the same disciplinary measures applied to students with disabilities if the district had "knowledge" of the student's disability before the behavior that precipitated the disciplinary action occurred.

The district is deemed to have knowledge of the student's disability if:

1. The student's parent/guardian has expressed concern in writing to district supervisory or administrative personnel, or the student's teacher, that the student is in need of special education and related services;
2. The student's parent/guardian has requested an evaluation; or
3. The student's teacher or other district personnel have expressed specific concerns about the student's pattern of behavior directly to the director of special education or other district supervisory personnel.

If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation will be expedited. Until the evaluation is completed, the student shall remain in the district's determined educational placement, which can include suspension or expulsion.

The district shall not be deemed to have knowledge that the student is a child with a disability if the parent/guardian has not allowed an evaluation of the student, or the student has been evaluated and it was determined that he or she is not a child with a disability or the student was determined eligible for special education and related services, but the parent/guardian refused services.

(September 1997)
(Revised April 2017)

Tobacco-Free Schools (ADC)

To promote the general health, welfare and well-being of students and staff, smoking, chewing or any other use of any tobacco products by staff, students and members of the public is prohibited on all school property.

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

For purposes of this policy, the following definitions apply:

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

Signs will be posted in prominent places on all school property to notify the public that smoking or other use of tobacco products is prohibited in accordance with state law and Board policy. This policy shall be published in all employee and student handbooks, posted on bulletin boards and announced in staff meetings.

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

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

(January 1995)
(Revised March 2018)

Video Cameras of Transportation Vehicles (EEAEF)

The Board of Education recognizes the district's continuing responsibility to maintain and improve discipline and to help ensure the health, welfare and safety of its staff and students on school transportation vehicles.

After having weighed carefully and balanced the rights of privacy of students with the district's duty to ensure discipline, health, welfare and safety of staff and students on school transportation vehicles, the Board supports the use of video cameras on its transportation vehicles.

Video cameras may be used to monitor student behavior on school vehicles transporting students to and from school or extracurricular activities.

Students in violation of the Board's student conduct and discipline policies or other bus conduct rules shall be subject to disciplinary action in accordance with applicable Board policy and regulations.

The superintendent, or designee, is directed to develop regulations governing the use of video cameras on school transportation vehicles and retention of video recordings in accordance with applicable law and Board policies.

(March 2016)
(Revised October 2017)

Video Cameras of Transportation Vehicles (EEAEF-R)

Student Records

The district shall comply with applicable state and federal law regarding student records requirements in the district's use of video recordings. Video recordings considered for

retention as part of a student's behavioral record will be maintained in accordance with the district's student record procedures governing access, review and release of student records. The district will include a notice in parent/student handbooks that video cameras may be used on school vehicles transporting students to and from school or extracurricular activities.

Parents/guardians and students will not be notified when a video camera is on board and in use on a district vehicle.

Storage/Security

All video recordings will be stored and secured to ensure confidentiality.

Video recordings will be stored for a minimum of five (5) days after initial recording, whereupon if no reason for continued storage is known to the district such recordings will be released for erasure.

Video recordings held for review of student incidents will be maintained in their original form pending resolution. Video recordings then will either be released for erasure or retained as necessary in accordance with applicable Board policy and district regulations.

Use

Video cameras will be used on school transportation vehicles as determined by the superintendent or designee.

Staff and students are prohibited from tampering with or otherwise interfering with video camera equipment.

Viewing Requests

Requests for viewing video recordings will be limited to the contracted transportation management, school administrator, or others deemed appropriate by the superintendent or designee.

Requests for viewing will be limited to district officials with a direct interest in the proceedings as deemed appropriate by the superintendent or designee.

Only the portion of the recording concerning a specific incident will be made available for viewing

Viewing

Actual viewing will be permitted only at school-related sites including the transportation office, school buildings, or central administrative offices.

All viewing will include the contracted transportation management and/or superintendent or designee.

A written log will be maintained thru the current academic year, of those viewing video recordings, including the date of viewing, reasons for viewing, date the recording was made, vehicle video recording, name of driver, and signature of the viewer.

Video recordings will remain the property of the district and may be reproduced only in accordance with applicable law and Board policy and regulations.

(March 2016)

(Revised October 2017)

**Video Cameras of Transportation Vehicles
(EEAEF-E)**

The district has installed video recording equipment on all school buses to monitor school transportation and will be recording on bus routes during the school year. Students will not be notified when a recording device has been installed on their bus.

Recordings will be reviewed on a routine basis by the principal and/or contracted transportation management, and evidence of student misconduct will be documented. Students found to be in violation of the district’s bus conduct rules will be notified and disciplinary action will be initiated under the rules and regulations concerning students riding school buses and Board-adopted Code of Conduct and Discipline.

Recordings will be treated as protected student records under the Family Educational Rights and Privacy Act (FERPA). The following guidelines will apply:

1. Recordings will remain in the custody of the contracted transportation management. Recordings may be erased after 30 days if no reason for continued storage is known to the district.

(March 2016)

Acknowledgment

I understand and acknowledge the Board’s policy and regulations concerning the use of video recorders on school buses. I also understand that my student will be held accountable for his/her conduct on district transportation and for the consequences outlined in the Board’s policy and regulations for student conduct on district-approved transportation.

Parent/guardian

Date

**Sexual Harassment
(JBB)**

The district recognizes that sexual harassment can interfere with a student’s academic performance and emotional and physical well-being and that preventing and remedying sexual harassment in schools is essential to ensure a nondiscriminatory, safe environment in which students can learn. In addition, sexual harassment is recognized as a form of sex discrimination and thus is a violation of the laws that prohibit sex discrimination.

District's Commitment

The district is committed to maintaining a learning environment that is free from sexual harassment. It shall be a violation of policy for any staff member to harass students or for students to harass other students through conduct or communications of a sexual nature or to retaliate against anyone that reports sexual harassment or participates in a harassment investigation.

The district shall investigate all indications, informal reports and formal grievances of sexual harassment by students, staff or third-parties and appropriate corrective action shall be taken. Corrective action includes taking all reasonable steps to end the harassment, to make the harassed student whole by restoring lost educational opportunities, to prevent harassment from recurring and to prevent retaliation against anyone who reports sexual harassment or participates in a harassment investigation.

Sexual Harassment Prohibited

Unwelcome sexual advances, requests for sexual favors, or other verbal, non-verbal or physical conduct of a sexual nature may constitute sexual harassment, even if the harasser and the student being harassed are the same sex and whether or not the student resists or submits to the harasser, when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a student's participation in an education program or activity.
2. Submission to or rejection of such conduct by a student is used as the basis for education decisions affecting the student.
3. Such conduct is sufficiently severe, persistent or pervasive such that it limits a student's ability to participate in or benefit from an education program or activity or it creates a hostile or abusive educational environment. For a one-time incident to rise to the level of harassment, it must be severe.

Any conduct of a sexual nature directed by a student toward a staff member or by a staff member to a student is presumed to be unwelcome and shall constitute sexual harassment.

Acts of verbal or physical aggression, intimidation or hostility based on sex, but not involving conduct of a sexual nature may also constitute sexual harassment.

Sexual harassment as defined above may include, but is not limited to:

1. sex-oriented verbal "kidding," abuse or harassment,
2. pressure for sexual activity,
3. repeated remarks to a person with sexual implications,
4. unwelcome touching, such as patting, pinching or constant brushing against the body of another,
5. suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades or similar personal concerns.
6. sexual violence
- 7.

Reporting, Investigation and Sanctions

Students are encouraged to report all incidences of sexual harassment to a teacher, counselor or principal in their school building and file a complaint, through the district's complaint and compliance coordinator.

All reports and indications from students, district employees and third parties shall be forwarded to the compliance officer:
Superintendent
PO Box 10,000, 930 Colorado Avenue
Montrose, CO 81402
Phone: 970-249-7726

Notice of the outcome of any investigation will be provided to all parties in writing.

All matters involving sexual harassment reports shall remain confidential to the extent possible as long as doing so does not preclude the district from responding effectively to the harassment or preventing future harassment. Filing of a grievance or otherwise reporting sexual harassment shall not reflect upon the individual's status or affect grades. In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct and the context in which the alleged conduct occurred shall be investigated.

Any student found to have engaged in sexual harassment shall be subject to discipline, including, but not limited to, being placed under a remedial discipline plan, suspension or expulsion, subject to applicable procedural requirements and in accordance with applicable law. Conduct of a sexual nature directed toward students shall, in appropriate circumstances, be reported as child abuse for investigation by appropriate authorities in conformity with applicable law and Board policy.

Notice and Training

Notice of this policy shall be circulated to all district schools and departments and incorporated in all student handbooks.

All students and district employees shall receive annual training related to recognizing and preventing sexual harassment. District employees shall receive additional annual training related to handling reports of sexual harassment.

(December 2000)
(Revised February 2018)

**Sexual Harassment
(Grievance Procedure)
(JBB-R)**

Students who believe they have been subject to sexual harassment will report the incident to any teacher, counselor or principal in their school building or to the assistant superintendent, who will be referred to as the grievance officer. All reports received by teachers, counselors, principals or other district employees will be forwarded to the grievance officer. If the alleged harasser is the person designated as the grievance officer, an alternate grievance officer will be appointed by the superintendent to investigate the matter.

Upon receiving a report, the grievance officer will confer with the student who has allegedly been harassed as soon as is reasonably possible. But in no event more than 2 school days from receiving the report, in order to obtain a clear understanding of the basis of the complaint and to discuss what action the student is seeking. The student's parents/guardians will also be contacted and kept informed regarding progress of the investigation.

At the initial meeting with the student, the grievance officer will explain the avenues for informal and formal action and provide a description of the grievance procedures. The grievance officer will also explain that whether or not the student files a formal grievance or otherwise requests action, the district is required by law to take steps to correct the harassment and to prevent recurring harassment or retaliation against anyone who makes a harassment report or participates in an investigation. The grievance officer will also explain to the student that any request for confidentiality will be honored so long as doing so does not preclude the school from responding effectively to the harassment and preventing future harassment.

Following the initial meeting with the student, the grievance officer will attempt to meet with the alleged harasser and his or her parents/guardians in order to obtain a response to the reported harassment and will investigate the matter in accordance with policy JBB*. The grievance officer will complete the investigation within 14 school days of the initial meeting with the student.

Within 7 school days of completing the investigation, the grievance officer will determine whether the matter should proceed formally or informally. On the basis of the grievance officer's investigation and if the student requests that the matter be resolved in an informal manner and the grievance officer agrees that the matter is suitable for such resolution, the grievance officer may attempt to resolve the matter informally through conciliation.

If the student requests a formal grievance process, the grievance officer will transfer the record to the superintendent or designee for formal resolution within 7 school days of completing the investigation, and so notify the parties by certified mail.

After reviewing the record made by the grievance officer, the superintendent or designee may gather additional evidence necessary to decide the case. Within 14 school days of receiving the record, the superintendent or designee will announce any sanctions or other action deemed appropriate, including recommendations to the Board for disciplinary or other action.

Whether or not a formal grievance was filed, the district will take all reasonable steps necessary to end the harassment, to make the victim whole by restoring lost educational opportunities, to prevent harassment from recurring and to prevent retaliation against anyone that reports sexual harassment or participates in a harassment investigation.

1. All parties, including the parents/guardians of all students involved, will be notified by the superintendent of the final outcome of the investigation and all steps taken by the district.
2. At any time, the student making a report of sexual harassment may request an end to the informal process and begin the formal grievance process.

(December 2000)

Student Absences and Excuses (JH)

One criteria of a student's success in school is regular and punctual attendance. Frequent absences may lead to poor academic work, lack of social development and possible academic failure. Regular attendance is of utmost importance for school interest, social adjustment and scholastic achievement. No single factor may interfere with a student's progress more quickly than frequent tardiness or absence.

According to state law, it is the obligation of every parent/guardian to insure that every child under their care and supervision receives adequate education and training and, if of compulsory attendance age, attends school.

Continuity in the learning process and social adaptation is seriously disrupted by excessive absences. In most situations, the work missed cannot be made up adequately. Students who have good attendance generally achieve higher grades, enjoy school more and are more employable after leaving school. For at least these reasons, the Board believes that a student must satisfy two basic requirements in order to earn full class credit: (1) satisfy all academic requirements and (2) exhibit good attendance habits as stated in this policy.

Excused Absences

The following shall be considered excused absences:

1. A student who is temporarily ill or injured or whose absence is approved by the administrator of the school of attendance on a prearranged basis. Prearranged absences shall be approved for appointments or circumstances of a serious nature only, which cannot be taken care of outside of school hours.
2. A student who is absent for an extended period due to physical, mental or emotional disability.
3. A student who is pursuing a work-study program under the supervision of the school.
4. A student who is attending any school-sponsored activity or activities of an educational nature with advance approval by the administration.
5. Other prearranged absences when approved by the building administration.
6. A student who is suspended or expelled.

As applicable, the district may require suitable proof regarding the above exceptions, including written statements from medical sources.

If a student is in out-of-home placement (as that term is defined by C.R.S. 22-32-138(1)(e)), absences due to court appearances and participation in court-ordered activities shall be excused. The student's assigned social worker shall verify the student's absence was for a court appearance or court-ordered activity.

Unexcused Absences

An unexcused absence is defined as an absence that is not covered by one of the foregoing exceptions. Each unexcused absence shall be entered on the student's record. The parents/guardians of the student receiving an unexcused absence shall be notified orally, in writing, or via automated message by the district of the unexcused absence.

In accordance with law, the district may impose appropriate penalties that relate directly to classes missed while unexcused. Penalties may include a warning, school detention or in-school suspension. Academic penalties, out-of-school suspensions or expulsions shall not be imposed for any unexcused absence.

The administration shall develop procedures to implement appropriate penalties. Students and parents/guardians may petition the Board of Education for exceptions to this policy provided that no exception shall be sustained if the student fails to abide by all requirements imposed by the Board as conditions for granting any such exception.

The maximum number of unexcused absences a student may incur before judicial proceedings are initiated to enforce compulsory attendance is 10 days per semester during any calendar year or school year.

Any student who has been absent from class for six consecutive weeks or more in any one school year, except for reasons of expulsion, excused long-term illness or death, is considered a "dropout" and shall be reported to the Department of Education by the school district. However, if the student is in attendance at the end of the school year, or enrolled in another school, home study course or on-line programs, such student is not considered a dropout and shall not be reported.

Make-up work

Make-up work shall be provided for any class in which a student has an excused absence unless otherwise determined by the building administrator or unless the absence is due to the student's expulsion from school. It is the responsibility of the student to pick up any make-up assignments permitted on the day returning to class. There shall be two days allowed for make-up work for each day of absence.

Make-up work shall be allowed following an unexcused absence or following a student's suspension from school with the goal of providing the student an opportunity to keep up with the class and an incentive to attend school. However, this work may receive only partial credit.

Unless otherwise permitted by the building administrator, make-up work shall not be provided during a student's expulsion. Rather, the district shall offer alternative education services to the expelled student in accordance with state law. The district shall determine the amount of credit the expelled student will receive for work completed during any alternative education program.

Tardiness

Tardiness is defined as the appearance of a student without proper excuse after the scheduled time that a class begins. Because of the disruptive nature of tardiness and the detrimental effect upon the rights of the non-tardy student to uninterrupted learning, appropriate penalties may be imposed for excessive tardiness. Parents or guardians shall be notified of all penalties regarding tardiness.

In an unavoidable situation, a student detained by another teacher or administrator shall not be considered tardy provided that the teacher or administrator gives the student a pass to enter his next class. Teachers shall honor passes presented in accordance with this policy.

The provisions of this policy shall be applicable to all students in the district, including those above and below the age for compulsory attendance as required by law.

(October 1996)
(Revised May 2018)

Truancy (JHB)

If a student is absent without an excuse signed by the parent/guardian or if the student leaves school or a class without permission of the teacher or administrator in charge, the student shall be considered truant. A “habitual truant” shall be defined as a student of compulsory attendance age who has four total days of unexcused absences from school in any one month or 10 total days of unexcused absences during any school year. Absences due to suspension or expulsion shall not be counted in the total of unexcused absences for purposes of defining a student as a “habitual truant”.

In order to reduce the incidents of truancy, parents/guardians of all students shall be notified in writing at the beginning of each school year of their obligation to insure that all children of compulsory attendance age attend school. Parents/guardians shall be required to acknowledge in writing awareness of their obligations and to furnish the school with a telephone number or other means of contacting them during the school day.

The school shall establish a system of monitoring individual unexcused absences. When a student fails to report on a regularly scheduled school day and school personnel have received no indication that the parent/guardian is aware of the absence, school personnel or volunteers under the direction of school personnel shall make a reasonable effort to notify the parent/guardian by telephone.

A plan shall be developed for a student who is at risk of being declared habitually truant with the goal of assisting the child to remain in school. The plan shall also include strategies to address the reasons for the truancy. When practicable, the student’s parent, guardian, or legal custodian shall participate with the district personnel during the development of the plan. Appropriate school personnel shall make all reasonable efforts to meet with the parent, guardian, or legal custodian to review and evaluate the reasons for the student’s truancy.

In accordance with law, the district may impose appropriate penalties that relate directly to classes missed while truant. Penalties may include a warning, school detention or in-school suspension. Academic penalties, out-of-school suspensions or expulsion shall not be imposed for any truancy.

The administration shall develop regulations to implement appropriate penalties for truancy.

(October 1996)
(Revised April 2017)

Truancy (JHB-R)

In order for students to gain the most from his/her school years, it is important students attend school consistently. Montrose and Olathe Schools use the following regulations to inform students and parents of the attendance regulations for all district schools.

Excused absences from Montrose and Olathe Schools will fall into one of the following six categories:

1. A student who is temporarily ill or injured or whose absence is approved by the administrator of the school of attendance on a prearranged basis. Prearranged absences shall be approved for appointments or circumstances of a serious nature only which cannot be taken care of outside of school hours.
2. A student who is absent for an extended period due to physical, mental or emotional disability.
3. A student who is pursuing a work-study program under the supervision of the school.
4. A student who is attending any school-sponsored activity or activities of an educational nature with advance approval by the building administrator.
5. Other prearranged absences when approved by the building administrator.
6. A student who is suspended or expelled.

Parent or guardians should phone or send a written message to the school secretary or attendance clerk within 24 hours to excuse a student for one of the above reasons so the school can properly record the absence. If families wish to request approval for a pre-approved absence of their child, parents or guardians need to make arrangements through a school administrator. Parents should submit a request for pre-approval to the administrator preferable one week in advance, so the student's teacher can make arrangements for the completion of make-up work. Pre-approved absences are the principal's discretion and may be denied. Should a student be absent without pre-approval, those absences may be unexcused.

Any students who must leave campus during the school day (with the exception of students who are allowed to leave campus during lunch or open period) must check out through the Attendance Office. An administrator or designee will verify and record the absence before releasing the student. A student who becomes ill during the school day is to go to the nurse's office or if the nurse is not available go to the main office. The Health Tech or office staff will coordinate a plan with the attendance clerk, health clinic personnel and/or parents/guardians. Students will not be released prior to parent/guardian authorization.

Students are responsible for completing make up work due to their absence and are allowed two days to make up school work for every day absent, if that absence is excused. Teachers will assist students in accomplishing their make-up work.

Students will not be permitted to check out of school early except in rare cases. Any early check out request must be approved by school administration in order to be excused. The student and parent should obtain principal approval and follow the pre-arranged absence procedure.

Notification of Absences

Parents/guardians of students are notified of their student's absences via automated call manager from the school district.

When a student has been absent five times from school, or at the high school level, from a particular class, a letter is sent to the primary residence of the student. This letter reminds parents/guardians of the importance of their student's attendance, and states the number of times a student has been absent. A similar letter is sent when a student reaches seven absences and warns of the possibility of loss of credit. Additionally, the school district truancy liaison may be notified and the student's attendance formally reviewed. At 10 absences, a student may lose credit for that class or recommended for retention. Furthermore, the district may begin judicial proceedings of habitually truancy with the student and family. This process may include, but is not limited to an attendance contract, mandatory meetings with school district personnel regarding the student's attendance, and court hearings. Fees incurred through truancy court proceedings, may be the fiscal responsibility of the family.

Student Conduct (JIC)

It is the intention of the Board of Education that the district's schools help students achieve maximum development of individual knowledge, skills and competence and that they learn behavior patterns which will enable them to be responsible, contributing members of society.

The Board, in accordance with state law, shall adopt a written student conduct and discipline code based upon the principle that every student is expected to follow accepted rules of conduct and to show respect for and to obey persons in authority.

The code shall be enforced uniformly, fairly and consistently for all students.

All Board-adopted policies and Board-approved regulations containing the letters "JIC" in the file name shall be considered as constituting the conduct section of the legally-required code.

The Board shall consult with parents/guardians, students, teachers, administrators and other community members, when appropriate, in the development and review of the conduct and discipline code.

The conduct and discipline code shall be provided to each student upon enrollment in elementary, middle and high school. The district shall take reasonable measures to ensure each student is familiar with the code. Copies shall be posted or kept on file in each school of the district. In addition, any significant changes in the code shall be provided to students and posted in each school.

In all instances, students shall be expected to conduct themselves in keeping with their level of maturity, acting with due regard for the supervisory authority vested by the Board in all district employees, the educational purpose underlying all school activities, the widely shared use of district property, and the rights and welfare of other students and staff.

All employees of the district are expected to share the responsibility for supervising the behavior of students and for seeing that they abide by the conduct and discipline code.

(January 1995)

(Revised February 2014)

Student Dress Code (JICA)

A safe and disciplined learning environment is essential to a quality educational program. District-wide standards on student attire are intended to help students concentrate on schoolwork, reduce discipline problems, and improve school order and safety. The Board recognizes that students have a right to express themselves through dress and personal appearance; however, students shall not wear apparel that is deemed disruptive or potentially disruptive to the classroom environment or to the maintenance of a safe and orderly school.

Any student deemed in violation of the dress code shall be required to change into appropriate clothing or make arrangements to have appropriate clothing brought to school immediately. In this case, there shall be no further penalty.

If the student cannot promptly obtain appropriate clothing, on the first offense, the student shall be given a written warning and an administrator shall notify the student's parents/guardians. On the second offense, the student shall remain in the administrative office for the day and do schoolwork and a conference with parents/guardians shall be held.

On the third offense, the student may be subject to suspension or other disciplinary action in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

Unacceptable Items

The following items are deemed disruptive to the classroom environment or to the maintenance of a safe and orderly school and are not acceptable in school buildings, on school grounds, or at school activities:

1. Shorts, dresses, skirts or other similar clothing shorter than mid-thigh length
2. Sunglasses and/or hats worn inside the building
3. Inappropriately sheer, tight or low-cut clothing (e.g., midriffs, halter tops, backless clothing, tube tops, garments made of fishnet, mesh or similar material, muscle tops, etc.) that bare or expose traditionally private parts of the body including, but not limited to, the stomach, buttocks, back and breasts
4. Tank tops or other similar clothing with straps narrower than 1.5 inches in width
5. Any clothing, paraphernalia, grooming, jewelry, hair coloring, accessories, or body adornments that are or contain any advertisement, symbols, words, slogans, patches, or pictures that:
 - refer to drugs, tobacco, alcohol, or weapons;
 - are of a sexual nature;
 - by virtue of color, arrangement, trademark, or other attribute denote membership in gangs which advocate drug use, violence, or disruptive behavior;
 - are obscene, profane, vulgar, lewd, or legally libelous;

- threaten the safety or welfare of any person;
- promote any activity prohibited by the student code of conduct;
- otherwise disrupt the teaching-learning process

Exceptions

Appropriate athletic clothing may be worn in physical education classes. Clothing normally worn when participating in school-sponsored extracurricular or sports activities (such as cheerleading uniforms and the like) may be worn to school when approved by the sponsor or coach.

Building principals, in conjunction with the school accountability committee, may develop and adopt school-specific dress codes that are consistent with this policy.

(December 2000)

(Revised February 2014)

Student Conduct in School Vehicles (JICC)

The privilege of riding a school vehicle is contingent upon a student's good behavior and observance of the student code of conduct and established regulations for student conduct both at designated school vehicle stops and on-board school vehicles.

The operator of a school vehicle shall be responsible for the safety of the students in the vehicle, both during the ride and while students are entering or leaving the vehicle. Students shall be required to conform to all rules concerning discipline, safety and behavior while riding in the school vehicle. It is the vehicle driver's duty to notify the supervisor of transportation and the principal of the school involved if any student persists in violating the established rules of conduct.

After due warning has been given to the student and to the student's parents/guardians, the principal or transportation director may withhold from the student the privilege of riding the school vehicle. Violation of district policies and regulations while in a school vehicle may also result in the student's suspension or expulsion from school, in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

(January 1995)

(Revised April 2017)

Code of Conduct (JICDA)

In accordance with applicable law and Board policy concerning student suspensions, expulsions and other disciplinary interventions, the principal or designee may suspend or recommend expulsion of a student who engages in one or more of the following activities while in school buildings, on district property, when being transported in vehicles dispatched by the district or one of its schools, during a school-sponsored or district-sponsored activity

or event and off district property when the conduct has a nexus to school or any district curricular or non-curricular event.

1. Causing or attempting to cause damage to district property or stealing or attempting to steal district property.
2. Causing or attempting to cause damage to private property or stealing or attempting to steal private property.
3. Willful destruction or defacing of district property.
4. Commission of any act which if committed by an adult would be robbery or assault as defined by state law.
5. Committing extortion, coercion or blackmail, i.e., obtaining money or other objects of value from an unwilling person or forcing an individual to act through the use of force or threat of force.
6. Engaging in verbal abuse, i.e., name calling, ethnic or racial slurs, either orally or in writing or derogatory statements addressed publicly to an individual or a group that precipitate disruption of the district or school program or incite violence.
7. Engaging in "hazing" activities, i.e., forcing prolonged physical activity, forcing excessive consumption of any substance, forcing prolonged deprivation of sleep, food, or drink, or any behavior which recklessly endangers the health or safety of an individual for purposes of initiation into any student group.
8. Violation of the Board's policy on bullying prevention and education.
9. Violation of criminal law which has an effect on the district or on the general safety or welfare of students or staff.
10. Violation of any Board policy or regulations, or established school rules.
11. Violation of the Board's policy on weapons in the schools. Expulsion shall be mandatory for bringing or possessing a firearm, in accordance with federal law.
12. Violation of the Board's policy on student conduct involving drugs and alcohol.
13. Violation of the Board's violent and aggressive behavior policy.
14. Violation of the Board's tobacco-free schools policy.
15. Violation of the Board's policies prohibiting sexual or other harassment
16. Violation of the Board's policy on nondiscrimination.
17. Violation of the Board's dress code policy.
18. Violation of the Board's policy on gangs and gang-like activity.
19. Throwing objects, unless part of a supervised school activity, that can or do cause bodily injury or damage to property.
20. Directing profanity, vulgar language or obscene gestures toward other students, school personnel or others.
21. Lying or giving false information, either verbally or in writing, to a district employee.
22. Engaging in scholastic dishonesty, which includes but is not limited to cheating on a test, plagiarism or unauthorized collaboration with another person in preparing written work.
23. Making a false accusation of criminal activity against a district employee to law enforcement or to the district.
24. Behavior on or off school property that is detrimental to the welfare or safety of other students or school personnel, including behavior that creates a threat of physical harm to the student exhibiting the behavior or to one or more other students.
25. Repeated interference with the district's ability to provide educational opportunities to other students.
26. Continued willful disobedience or open and persistent defiance of proper authority including deliberate refusal to obey a member of the district staff.

Each principal shall post a copy of these rules in a prominent place in each school and shall distribute a copy to each student. Copies also shall be available to any patron of the district upon request.

(October 1996)

(Revised January 2014)

Violent and Aggressive Behavior (JICDD*)

The Board recognizes there are certain behaviors that, if tolerated, would compromise the learning environment to which the students and staff of the district are entitled. These behaviors, categorized as violent or aggressive, will not be tolerated.

Students exhibiting violent or aggressive behavior or warning signs of future violent or aggressive behavior shall be subject to appropriate disciplinary action including suspension and/or expulsion in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions. As appropriate and in accordance with applicable law and Board policy, students may also be referred to law enforcement authorities. At the district's discretion and when appropriate, the student may receive appropriate intervention designed to address the problem behavior. The district may also conduct a threat assessment of the student.

Students shall immediately report questionable behavior or potentially violent situations to an administrator, counselor or teacher.

A staff member who witnesses or receives a report of a student's act of violence and aggression shall notify the building principal or designee as soon as possible.

An act of violence and aggression is any expression, direct or indirect, verbal or behavioral, of intent to inflict harm, injury or damage to persons or property. A threat of violence and aggression carries with it implied notions of risk of violence and a probability of harm or injury.

An act of violence and aggression includes but is not limited to:

1. Possession, threat with or use of a dangerous weapon — as described in the Board's weapons policy.
2. Physical assault — the act of striking or touching a person or that person's property with a part of the body or with any object with the intent of causing hurt or harm.
3. Verbal abuse — includes, but is not limited to, swearing, screaming, obscene gestures or threats directed, either orally (including by telephone) or in writing (including by text, social media or other electronic means), at an individual, his or her family or a group.
4. Intimidation — an act intended to frighten or coerce someone into submission or obedience.
5. Extortion — the use of verbal or physical coercion in order to obtain financial or material gain from others.
6. Bullying — as described in the Board's policy on bullying prevention and education.
7. Gang Activity — as described in the Board's secret societies/gang activity policy.

8. Sexual Harassment or other forms of harassment — as described in the Board’s sexual harassment policy and nondiscrimination policy.
9. Stalking — the persistent following, contacting, watching or any other such threatening actions that compromise the peace of mind or the personal safety of an individual.
10. Defiance — a serious act or instance of defying or opposing legitimate authority.
11. Discriminatory Slurs — insulting, disparaging or derogatory comments made directly or by innuendo regarding a person’s race, sex, sexual orientation (which includes transgender), religion, national or ethnic background or handicap.
12. Vandalism — damaging or defacing property owned by or in the rightful possession of another.
13. Terrorism — a threat to commit violence communicated with the intent to terrorize or with reckless disregard for the risk of creating such terror or to cause serious public inconvenience, such as the evacuation of a building.

(December 2000)

(Revised October 2017)

Bullying Prevention and Education (JICDE)

The Montrose County School District strives to provide safe, secure, and respectful learning environments for all students in school buildings, on school grounds, on school vehicles, and at school-sponsored activities. Bullying is a conduct that interferes with a student’s ability to learn and a teacher’s ability to educate.

This policy attempts to protect students against bullying and retaliation by other students. This policy also attempts to protect any student who voluntarily participates in any district function or activity from prohibited conduct, whether the student is enrolled in the district or not.

A copy of this policy can be found in the district’s student handbook, within the school and district administrative offices, and electronically at www.mcsd.org>school board>board policies>Section J>JICDE. This policy is also provided to all school employees, independent contractors, and volunteers who interact with students.

Definitions

“Bullying” is objectively offensive intimidating, threatening, abusive or harmful conduct directed by an individual toward one or more individuals when either; (1) there is a real or perceived imbalance of power between those involved or; (2) the conduct materially and substantially interferes with the student’s educational opportunities, performance, or ability to participate in school functions, activities, or programs. The conduct can be re-occurring or form a pattern, however, may also be only one instance.

Bullying can be, but need not be, based on an individual’s actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, family status, socioeconomic status, physical appearance, sexual orientation, including gender identity and expression, academic status related to student performance, disability, status with regard to public assistance, age, or any additional characteristic of an individual against whom federal and state law prohibit discrimination upon any of the bases referenced in Colorado Revised

Statutes §§22-32-109 (1)(II)(I). Bullying in this policy includes “cyberbullying”, as defined below.

“Cyberbullying” is bullying that occurs when an electronic device, including but not limited to a computer or cell phone, is used to transfer a sign, signal, writing, image, sound, or data and could include a post to a social network, Internet website, or forum.

“Intimidating, threatening, abusive, or harming conduct” may involve but is not limited to, conduct that causes physical harm or reasonable fear of harm to a student or a student’s property, violates a student’s reasonable expectation of privacy under Colorado common law, defames a student, or constitutes intentional infliction of emotional distress against a student or retaliation for, or knowingly making a false report.

“Prohibited conduct” means bullying or cyberbullying as defined under this policy or retaliation for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about bullying.

“Remedial response” is appropriately prompt action taken to intervene, investigate, correct and prevent bullying from recurring, including protecting and supporting a student subjected to bullying and those who provided aid and support to the student.

“School” means public school.

“Student” means a student enrolled in public school.

Prohibited Conduct

Bullying is prohibited:

1. On school property, school district provided transportation, or at designated locations for students to wait for school district provided transportation.
2. During any school-sponsored or school-sanctioned program, activity, event or trip.
3. Using school computers, electronic technology, networks, forums or mailing lists.
4. Using electronic technology off the school premises that materially and substantially disrupts a student’s learning or school environment.

Apparent permission or consent by a student does not mean that bullying should be tolerated or allowed.

Retaliation is prohibited by any student or district employee against anyone, who in good faith, asserts, alleges, reports, or provides information pertaining to an alleged incident of prohibited conduct. The school district will take appropriate action against any student or district employee who engages in retaliation. Filing a false accusation of bullying is also prohibited.

Initial Response and Reporting

School Principal: the school principal or designee (principal/designee) is the person responsible for receiving reports of bullying at the school level. The principal/designee will ensure this policy and its procedures are fairly and fully implemented and serve as the primary person to address policy and procedural matters. If the complaint involves the principal/designee, the complaint shall be made to the Deputy Superintendent.

Students: Students who believe that they have been bullied or have witnessed bullying are strongly encouraged to bring their concerns to the principal/designee but may bring their concerns to any school employee.

School Employee: Any employee who witnesses an incident or who possesses reliable information that would lead a reasonable person to believe that bullying has occurred shall:

1. Immediately intervene to protect the safety of the student subjected to the incident and other students involved, as appropriate to the context.
2. Make reasonable efforts to address and resolve the incident, including reporting the incident to the principal/designee, as deemed appropriate.
3. Cooperate fully in any investigation and resolution of the bullying incident.

Independent Contractors/Volunteers: Any independent contractor or volunteer who witnesses bullying or who possesses reliable information that would lead a reasonable person to believe that bullying has occurred is strongly encouraged to report the bullying incident to the principal/designee, supervisor, or any school employee and cooperate fully in any investigation and resolution of the bullying incident.

Anonymous reports will be accepted by the principal/designee. However, no disciplinary action will be determined solely on the basis of an anonymous report.

Investigation

Information Pertaining to Bullying Incidents:

The District will share and release information directly related to a student, including information pertaining to reports and investigations of prohibited conduct, in the interest of making schools safer, subject to the requirements of the Colorado Open Records Act (CORA), C.R.S. §24-72-204 (3), and with applicable provisions of the federal Family Education Rights and Privacy Act of 1974 (FERPA), 20 U.S.C. sec. 1232g, and all federal regulations and applicable guidelines adopted thereto. Sharing of information concerning an out-of-home placement student who is being transferred to a public school shall comply with the rules established by the state board, pursuant to C.R.S. §22-2-139 (9).

The school will notify affected individuals, including the school, in accordance with the school's legal obligations. Any information that any person provides to the district or school may be subject to CORA and/or FERPA. These laws restrict public access to certain records pertaining to students.

Procedure

Investigation of an alleged bullying incident shall be initiated as soon as possible, but in no instance, after more than three school days of receipt of a report, and completed in a timely matter. Investigative records shall be maintained and regulated by the principal/designee.

The investigation should determine whether the reported incident constitutes a case of bullying. The determination should take into consideration the totality of the facts and circumstances surrounding the incident, including, but not limited to:

1. The developmental ages and maturity levels of the parties involved.
2. The degree of harm, surrounding circumstances, and nature of the behavior.
3. Past incidences or past or continuing patterns of behavior.
4. The relationship between the parties involved.
5. The context in which the alleged incidents occurred.

In all cases, the alleged offender(s) will be entitled to due process and any other recourse in the district discipline policy.

Remedial Response

The principal/designee shall design and implement remedial measures to correct and prevent further prohibited conduct, protect and provide support for the target of the bullying, and take corrective action for documented systemic problems related to bullying.

Many student conflicts can be resolved immediately and do not require reporting or creation of an incident report. Schools must respond to bullying in a manner tailored to the individual incident, considering the nature of the behavior, the developmental age of the student, and the student's history of prohibited conduct and performance.

When a student engages in bullying, a school should use multi-tiered levels of response that are individualized, consistent, reasonable, fair, age-appropriate, and should match the severity of the student's behavior and developmental age.

When appropriate, the school district shall provide the target, offender(s), and other affected individuals with information about available community resources to aid in the remedial process.

Professional Development and Education

School Employees: The school district shall require employees to receive ongoing professional development training to build their skills to implement this policy. Training will be required for new employees and on a continuing training cycle that occurs at least once every three years for all employees who regularly interact with students. The content of the training will include, but not be limited to:

1. Strategies to prevent, intervene, and effectively stop bullying in a manner developmentally appropriate to the context of an incident.
2. Information about the complex interaction and power differential that can take place between and among an offender(s), target, and witness to bullying.
3. Research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk, and any specific interventions that may be particularly effective for addressing bias-based bullying.
4. Information about Internet safety issues as they relate to bullying.
5. A review of the district's reporting requirements related to bullying.

Students: The school will encourage character development and other developmentally appropriate programmatic instruction to help students identify, prevent, and reduce bullying and create a safe learning environment. The superintendent or designee shall determine the scope and duration of the units of instruction and topics covered but the training shall include evidence-based, social-emotional learning to prevent and reduce discrimination and other improper conduct and to engage all students in creating a safe and supportive school environment.

Where appropriate for a child with a disability, as determined by the child's Section 504 or Individualized Education Program (IEP) team, the school district shall allow the child's IEP or Section 504 plan to address the skills and proficiencies the child needs to respond to or not engage in bullying.

(August 2001)
(Revised September 2015)

**School-Related Student Publications
(JICEA)**

The Board encourages students to express their views in school-sponsored publications while observing rules for responsible journalism and complying with this policy and state and federal law. To protect the rights of all members of the school community and to support the district's educational mission and purpose, students are prohibited from publishing expression which: is false or obscene;

- is libelous, slanderous or defamatory under state law;
- presents a clear and present danger of the commissions of unlawful acts, violation of school rules or material and substantial disruption of the orderly operation of the school;
- violates the privacy rights of others;
- or threatens violence to property or persons.

Student editors of school-sponsored publications shall be responsible for determining the news, opinion and advertising content of their publications subject to the limitations of this policy, its accompanying regulation and applicable state and federal law. The publications advisor within each school shall be responsible for supervising the production of school-sponsored publications and for teaching and encouraging free responsible expression and professional standards of journalism.

The publications advisor has authority to establish or limit writing assignments for students working with publications and to otherwise direct and control the learning experience that publications are intended to provide when participation in a school-sponsored publication is part of a school class or activity for which grades or school credits are given.

(January 1995)
(Revised April 2017)

**School-Related Student Publications
(School Publications Code)
(JICEA-R)**

Purpose

School-sponsored publications provide an educational activity through which students can gain experience in reporting, writing, editing and understanding responsible journalism. Content of school-sponsored publications should reflect all areas of student interest, including topics about which there may be dissent or controversy.

Prohibited Materials

The following defines those materials prohibited by this regulation's accompanying policy.

Students may not publish or distribute material that is obscene. "Obscene" means:

- The average person applying contemporary community standards finds that the publication, taken as a whole, appeals to a minor's prurient interest in sex.
- The publication depicts or describes in a patently offensive way sexual conduct such as ultimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of genitals.
- The work, taken as a whole, lacks serious literary, artistic, political or scientific value.
- Students may not publish expression that is libelous, slanderous or defamatory under state law. "Libelous" is defined as a false and unprivileged statement about a person that injures the individual's reputation in the community.
- Expression that is false as to any person who is not a public figure or involved in a matter of public concern is prohibited.

If the allegedly libeled individual is a "public figure or official," the official must show that the false statement was published with actual malice, as the terms are defined in law.

Expression which presents a clear and present danger of the commission of unlawful acts, violation of school rules, or material and substantial disruption of the orderly operation of the school, violates the rights of others to privacy, or threatens violence to property or persons is prohibited.

In order for a student publication to be considered disruptive, there must exist specific facts upon which it would be reasonable to forecast that a clear and present likelihood of an immediate, substantial material disruption to normal school activity would occur if the material were distributed. Material that stimulates heated discussion or debate does not constitute the type of disruption that is prohibited.

Time, Place and Manner Restrictions

The principal will coordinate with the publications advisor on the time, place and manner of distributing school-sponsored publications to reduce any conflict with school instructional time and/or reduce any disruption of the orderly operation of the school which might be caused by the distribution of school-sponsored publications.

Procedures for Resolving Differences

Student editors will work first with the publications advisor to resolve any differences. If the problem cannot be resolved at this level, the student editors and/or the publications advisor will work with the principal to resolve any problems. If the problem is not resolved at the principal level, the student editors and/or the publications advisor may appeal to the superintendent. The superintendent's decision shall be final.

(December 2000)
(Revised April 2017)

Student Distribution of Noncurricular Materials (JICEC*)

To understand Constitutional values such as the right to free speech, students must not only study such principles but also have an opportunity to put them into practice. However, there are limitations on the right of student free speech in the school setting that have been upheld by the courts because of the unique nature of the school community.

It is the goal of this policy to strike a necessary balance between a student's right of free speech and the school's need to maintain an orderly and safe school environment which respects the rights of all students on school grounds and during school-sponsored activities.

Students shall be allowed to distribute noncurricular written materials on school property subject to restrictions on time, place and manner of distribution set out in the accompanying regulations and the prohibitions set out below and in state law.

Any material in any media containing expression which is obscene, pornographic, sexually explicit, libelous, slanderous or defamatory shall be prohibited. Students shall not distribute any material which advocates commission of unlawful acts or violation of Board or district policy and/or regulations, violates another person's right to privacy, causes a material and substantial disruption of the orderly operation of the school, or threatens violence to property or persons. Also prohibited are materials that contain insulting words or words the very expression of which injures or harasses other people and which are inconsistent with the shared values of a civilized social order (e.g. threats of violence or defamation of a person's race, religion, ethnicity, national origin, etc.).

Students who distribute materials in violation of this policy may be subject to appropriate disciplinary action, including suspension and/or expulsion.

School equipment and supplies shall not be used for publication of such material. This policy and accompanying regulations shall be made available to all students and teachers at the beginning of each school year and included in all student handbooks.

(December 2000)
(Revised January 2012)

Student Distribution of Noncurricular Materials (JICEC*-R)

Students who wish to distribute noncurricular printed materials on school property or in conjunction with a school activity must notify the principal a minimum of one day in advance so that details may be worked out regarding the time, place and manner of distribution.

Students do not have to produce an advance copy of the materials that will be distributed for the principal's review. However, materials which are distributed on school grounds containing information prohibited by board policy and/or materials that create a significant

or substantial disruption, damage to persons or property, or threaten violence to property or persons in the judgment of school officials, may subject the responsible students to disciplinary action following distribution.

The following restrictions will apply to all requests for distribution of noncurricular materials by students:

1. Place. Distribution of printed materials must be made at places within the school or on school grounds as designated by the principal except that in no event may such materials be distributed in any classroom of any building then being occupied by a regularly-scheduled class.
2. Time. Distribution may be made one-half hour before school and/or during regularly scheduled lunch periods and/or 15 minutes after the close of school. Any other times during the school day are considered to be disruptive of normal school activities.
3. Littering. All distributed items discarded in school or on school grounds must be removed by the persons distributing such items.
4. Manner. No student may in any way be compelled or coerced to accept any noncurricular materials. In the alternative, no school official or student may interfere with the distribution of approved materials.

Violation of any of these regulations will be sufficient cause for denial of the privilege to distribute materials at future dates and for disciplinary action.

(December 2000)

Secret Societies/Gang Activity (JICF)

The Board of Education desires to keep district schools and students free from the threats or harmful influence of any groups or gangs which advocate drug use, violence or disruptive behavior.

The principal or his designee shall take reasonable steps to deter gang intimidation of students and confrontations between members of different gangs on school grounds, in school vehicles and at school activities or sanctioned events.

The presence of any apparel, jewelry, accessory, notebook or manner of grooming which by virtue of its color, arrangement, trademark or any other attribute denotes membership in gangs which advocate drug use, violence or disruptive behavior is prohibited on school grounds, in school vehicles and at school-sanctioned activities or sanctioned events.

(January 1995)

(Revised September 2017)

Secret Societies/Gang Activity (JICF-R)

Gangs

At the principal's discretion, staff members may use the following techniques to discourage the influence of gangs:

1. Any student wearing or carrying overt gang paraphernalia or making gestures that symbolize gang affiliation will be referred to the principal or his designee. The student's parents/guardian will be contacted and the student sent home to change clothes, if necessary.
2. Any gang graffiti on school premises will be quietly removed, washed down or painted over as soon as discovered. Daily checks for graffiti will be made throughout the campus, including restroom walls and doors.
3. Graffiti will be photographed before it is removed. These photographs will be shared with local law enforcement authorities and may be used in future disciplinary or criminal action against the offenders.
4. Classroom and after-school programs at each school will be designed to enhance individual self-esteem, provide positive reinforcement for acceptable behavior and foster interest in a variety of wholesome activities.
5. Staff members will actively promote membership in authorized student organizations which can provide students companionship, safety and a sense of purpose and belonging.

Gang Prevention Education

Gang prevention instruction offered in the schools will:

1. Explain the dangers of gang membership
2. Include lessons or role-playing workshops in nonviolent conflict resolution and gang avoidance skills
3. Promote constructive activities available in the community
4. Involve students in structured, goal-oriented community service projects
5. Encourage positive school behavior

Gang prevention lessons may be taught jointly by teachers and law enforcement officers.

Community Outreach

Gang prevention classes or counseling offered for parents/guardians will address the following topics:

- Dangers of gang membership
- The nature of local gang apparel and graffiti.
- Ways to deal effectively with one's children.
- Warning signs which may indicate that children are at risk of becoming involved with gangs.

Community programs offered for staff, parents/guardians, churches, city officials, business leaders and the media will address:

- The scope and nature of local gang problems.
- Ways that each segment of the community can help to alleviate these problems.

Intervention Measures

Staff members are encouraged to make efforts to assimilate gang-oriented students into the academic, extracurricular and social mainstream and into work experience programs. To this end:

- Staff members will be provided with the names of known gang members.
- Insofar as possible, classroom teachers will assign individual gang-oriented students to cooperative learning groups in which they may work toward common goals with students who are not members of their gang.
- Students who seek help in rejecting gang associations may be referred to community-based gang suppression and prevention organizations.

(June 1995)

(Revised November 2017)

Drug and Alcohol Involvement by Students (JICH)

Montrose County School District RE-1J shall promote a healthy environment for students by providing education, support and decision-making skills in regard to alcohol, drugs and other controlled substances and their abuse. In order to accomplish this goal, a cooperative effort must be made among the schools, parents/guardians, community and its agencies.

It shall be a violation of Board policy and considered to be behavior which is detrimental to the welfare or safety of other students or school personnel for any student to possess, use, sell, distribute or procure or to be under the influence of alcohol, drugs or other controlled substances. The unlawful possession or use of alcohol or controlled substances is wrong and harmful to students.

For purposes of this policy, controlled substances include but are not limited to narcotic drugs, hallucinogenic or mind-altering drugs or substances, amphetamines, barbiturates, stimulants, depressants, marijuana, anabolic steroids, any other controlled substances as defined in law, or any prescription or nonprescription drug, medicine, vitamin or other chemical substances not taken in accordance with the Board policy and regulations of administering medicines to students.

This policy also includes substances that are represented by or to the student to be any such controlled substance or what the student believes to be any such substance.

This policy shall apply to any student on district property, being transported in vehicles dispatched by the district or one of its schools, during a school sponsored or district-sponsored activity or event, off school property when the conduct has a reasonable connection to school or any district curricular or non-curricular event, or whose conduct at any time or place interferes with the operations of the district or the safety or welfare of students or employees.

Students violating this policy shall be subject to disciplinary sanctions which may include suspension and/or expulsion from school and referral for prosecution. Expulsion shall be

mandatory for sale or distribution of drugs or other controlled substances, in accordance with state law.

Disciplinary sanctions and interventions for violations of this policy shall be in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

Situations in which a student seeks counseling or information from a professional staff member for the purpose of overcoming substance abuse shall be handled on an individual basis depending upon the nature and particulars of the case. When appropriate, parents shall be involved and every effort made to direct the substance abuser to sources of help.

The Board, in recognition that drug and alcohol abuse is a community problem, shall cooperate actively with law enforcement, social services or other agencies and organizations, parents and any other recognized community resources committed to reducing the incidents of illegal use of drugs and alcohol by school-aged youths.

Whenever possible in dealing with student problems associated with drug and alcohol abuse, school personnel shall provide parents/guardians and students with information concerning education and rehabilitation programs which are available.

Information provided to students and/or parents about community substance abuse treatment programs or other resources shall be accompanied by a disclaimer to clarify that the school district assumes no financial responsibility for the expense of drug or alcohol assessment or treatment provided by other agencies or groups unless otherwise required.

The district shall provide all students and parents with a copy of this policy and its accompanying procedures on an annual basis.

The Board shall conduct a periodic review of its drug prevention program to determine its effectiveness, to implement any required changes and to insure that the disciplinary sanctions required are consistently enforced.

(January 1995)
(Revised January 2014)

In accordance with the accompanying policy, the following procedures are established for

Drug and Alcohol Use by Students (JICH-R)

disciplining students for alcohol- or drug-related misconduct.

Use

1. When a student is suspected of use, the person having the suspicion should notify the principal or his designee. Notification must include reasons for such suspicion (observed use, unusual behavior, etc.). The principal or designee will conduct a check of the suspected student and collect data. This action must comply with the Board policy on interrogations and searches.

- a. If information is not sufficient to warrant further action, the principal or designee may have a personal conference with the student expressing awareness and concern.
 - b. If information warrants, the parent/guardian will be requested to attend a conference at school. The conference may include sharing the data collected, explaining consequences of involvement with drugs/alcohol, developing a plan of action, and offering the parent or guardian general information and resources related to substance abuse.
2. When necessary, emergency health and safety care will be provided and any procedural or disciplinary issues postponed until the student's immediate needs are treated. While waiting for the parent/guardian or further medical aid, the student will not be left alone but placed in a quiet situation where he will remain under observation.

Possession

Students who possess alcohol, drugs, other controlled substances or drug-containing or drug-related paraphernalia in violation of Board policy will be handled in the following manner:

1. A staff member who comes in contact with evidence and/or contraband must notify the principal or designee immediately.
2. A staff member who has reasonable cause to believe that a student possesses alcohol, any controlled substance or drug-containing or drug-related paraphernalia in violation of Board policy will request that the student accompany him to the principal or designee. If the student refuses, the staff member will notify the principal or designee immediately.
3. The principal or designee will attempt to obtain evidence by requesting it directly from the student or through search procedures as outlined in Board policy.
4. The principal or designee will place any evidence in an envelope or alternative container as necessary which will be sealed, dated and initialed by the individual who originally obtained the materials and by the principal or designee. The evidence then will be placed in the school safe.
5. The principal or designee will call appropriate law enforcement officials in each instance of possession or sale of controlled substances by a student. A mutual decision will be made as to retention of the contraband by the school or testing by the authorities.
6. When there is evidence of a student possessing illegal drugs, the student will be suspended and his parent/guardian notified.

Kindergarten – 8th Grade Disciplinary Procedures

First Offense for use and/or Possession

1. The student will receive three days out-of-school suspension, and a parent/guardian conference will be scheduled prior to re-admittance.
2. Parent/guardian and student will be provided information concerning voluntary drug and alcohol treatment programs.
3. The student may elect to participate in a voluntary drug/alcohol abuse counseling program with attendance verification submitted to the school administration. Upon choice of this option, the student will be readmitted. If counseling is not elected, the student may be suspended from school for an additional five days by the superintendent. The student and parent/guardian must attend a readmission

conference during the suspension. At the end of the five days, the student will be readmitted.

4. The principal or designee will attempt to develop with the parent/guardian and the student a procedure that will outline the responsibilities of the parent/guardian, the student and the school in an effort to keep any further offenses from occurring.

Second Offense for Use and/or Possession

1. The student will be suspended from school for five days.
2. Information concerning voluntary drug or alcohol treatment programs will be given to the student and the parent/guardian. The principal or designee will require evidence of the student's enrollment and/or participation in a voluntary program prior to the student's re-admittance to school.
3. Appropriate law enforcement officials will be notified.

Third Offense for Use and/or Possession

The student will be recommended for expulsion.

9th – 12th Grade Disciplinary Procedures

First Offense for Use and/or Possession

1. The student will be suspended from school for five days
2. Information concerning voluntary drug or alcohol treatment programs will be given to the student and the parent/guardian. The principal or designee will require evidence of the student's enrollment and/or participation in a voluntary program prior to the student's re-admittance to school.
3. Appropriate law enforcement officials will be notified.

Second Offense for Use and/or Possession

The student will be recommended for expulsion.

Distribution

Students who sell, give or exchange alcohol, drugs, other controlled substances or drug-containing or drug-related paraphernalia in violation of Board policy will be handled in the following manner:

1. If an employee witnesses an act in which alcohol, drugs, other controlled substances or drug-containing or drug-related paraphernalia are being transferred from one student to another, the staff member will immediately attempt to detain the student and request that the student accompany the staff member to the principal or designee. If the student refuses, the staff member will notify the principal or designee immediately.
2. The principal or his designee will attempt to obtain evidence by requesting it directly from the student or through search procedures in accordance with Board policy.
3. Any student who distributes, trades, exchanges or sells controlled substances will be expelled.

These procedures will supplement and complement authority conferred elsewhere by Board policy and will not be deemed to limit or suspend such other authority.

(January 1995)
(Revised April 2010)

Weapons in School (JICI)

The Board of Education determines that possession, use and/or threatened use of a weapon by students is detrimental to the welfare and safety of the students and school personnel within the district.

Dangerous Weapons

Using, possessing or threatening to use a dangerous weapon district property, when being transported in vehicles dispatched by the district or one of its schools, during a school-sponsored or district-sponsored activity or event, and off school property when the conduct has a reasonable connection to school or any district curricular or non-curricular event without the authorization of the school or the school district is prohibited. An exception to this policy may be made for students participating in an authorized extracurricular activity or team involving the use of firearms.

As used in this policy, "dangerous weapon" means:

- a) A firearm,
- b) Any pellet, BB gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air.
- c) A fixed blade knife with a blade that exceeds three inches in length.
- d) A spring loaded knife or a pocket knife with a blade longer than three and one-half inches in length.
- e) Any object, device, instrument, material, or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury including, but not limited to a slingshot, bludgeon, nunchucks, brass knuckles or artificial knuckles of any kind.

Students who use, possess or threaten to use a dangerous weapon in violation of this policy shall be subject to disciplinary action, including suspension and/or expulsion, in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

In accordance with federal law, expulsion shall be mandatory for no less than one full calendar year for a student who is determined to have brought a firearm to or possessed a firearm at school in violation of this policy. The superintendent may modify the length of this federal requirement for expulsion on a case-by-case basis. Such modification shall be in writing.

Firearm Facsimiles

Carrying, using, actively displaying or threatening with the use of a firearm facsimile that could reasonably be mistaken for an actual firearm on district property, when being transported in vehicles dispatched by the district or one of its schools, during a school-sponsored or district-sponsored activity or event, and off school property when such conduct has a reasonable connection to school or any district curricular or non-curricular event without the authorization of the school or school district is prohibited. Students who violate this policy provision may be subject to disciplinary action, including but not limited to suspension and/or expulsion, in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

A student may seek prior authorization from the building principal to carry, bring, use or possess a firearm facsimile that could reasonable be mistaken for an actual firearm on school property for purposes of a school-related or non-school related activity. A student's failure to obtain such prior authorization is a violation of this policy provision and may result in disciplinary action, including but not limited to suspension and/or expulsion in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions. The principal's decision to deny or permit a student to carry, bring, use or possess a firearm facsimile that could reasonably be mistaken for an actual firearm on school property shall be final.

School administrators shall consider violations of this policy provision on a case-by-case basis to determine whether suspension, expulsion or any other disciplinary action is appropriate based upon the individual facts and circumstances involved.

Local Restrictions:

The Board of Education determines that extra precautions are important and necessary to provide for student safety. Therefore, the using, possessing or threatening to use any knife, regardless of the length of the blade, on district property, when being transported in vehicles dispatched by the district or one of its schools, during a school-sponsored or district-sponsored activity or event, and off school property when the conduct has a reasonable connection to school or any district curricular or non-curricular event without authorization of the school or school district is prohibited.

Students who violate this policy provision shall be referred for appropriate disciplinary action, including suspension and/or expulsion, in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

Recordkeeping

The district shall maintain records which describe the circumstances involving expulsions of students who bring weapons to school including the name of the school, the number of students expelled and the types of weapons involved as required by law.

Referral to law enforcement

In accordance with applicable law, school personnel shall refer any student who brings a firearm or weapon to school without authorization of the school or the school district to law enforcement.

(October 1996)
(Revised May 2016)

**Student Use of Electronic Communication Devices
(JIC)**

Montrose County School District believes personal technology devices may be useful tools for students in the educational environment and can play a vital communication role during emergency situations. are tools of both communication and learning that, depending upon their use, can either add value to communication and learning or can cause disruption in the school environment. However, use of personal technology devices in school situations must be regulated to assure that the use of such devices does not disrupt or interfere with the educational process or school operations. Therefore, students may only use PTD's on district

property, on a district vehicle or at a district or school-sponsored activity or event in accordance with this policy.

For purposes of this policy, “personal technology device” (PTD) includes any privately-owned portable technology device, including but not limited to cell phones, tablets, laptops, cameras, audio and/or video recorders and players, and all other hand-held electronic communication and data storage devices.

Students may use PTD’s as a designated tool for learning if authorized by the student’s teacher. It is the student’s responsibility to ensure that the PTD is turned off or placed in silent mode during unauthorized times.

Student use of PTD’s with cameras and/or video recording capabilities is prohibited in locker rooms, bathrooms or any other location where such use could violate another person’s reasonable expectation of privacy.

Students shall not use PTD’s to engage in, promote or facilitate any other conduct that violates the student code of conduct, other Board policies or regulations, or state or federal law.

Violation of this policy or any other district, school or classroom rule or regulation on student use of PTD’s may result in disciplinary measures and/or temporary confiscation of the PTD. Confiscated devices shall be returned to the student only after a conference with the parent/guardian, student and school personnel. If the building principal or designee believes a student’s possession or use of a PTD may involve a violation of the law, the building principal or designee may also refer the matter to law enforcement.

The district shall not be responsible for loss, theft or destruction of PTD’s brought onto school or district property or while the student is attending district or school-sponsored activities or events.

(April 2010)
(Revised November 2017)

Student Interviews, Interrogations, Searches, and Arrests (JH)

The Board of Education seeks to maintain a climate in the schools which is conducive to learning and protective of the safety and welfare of staff and students. To achieve this goal, it may be necessary for school personnel to search the person and/or the personal property of the student and to seize any property deemed injurious or detrimental to the safety and welfare of students and staff.

Interviews by School Administrators

When a violation of Board policy or school rules occurs, the principal or designee may question potential student victims and witnesses without prior consent of the student’s parent/guardian. If a school official is investigating a report of child abuse and the suspected

perpetrator is a member of the student's family, no contact with the student's family will be made.

In situations where a student is suspected of violating Board policies or school rules, the principal or designee may interview the suspected student if the school official has reasonable grounds to suspect that such a violation has occurred. The nature and extent of the questioning must be reasonably related to the objectives of the questioning. If the student denies any involvement or culpability, the student will have the opportunity to present his or her side of the story, orally or in writing.

Searches Conducted by School Personnel

School personnel may search a student and/or the student's personal property while on school premises or during a school activity in accordance this policy and may seize any illegal, unauthorized or contraband materials.

Whenever possible, the student shall be informed of the reason(s) for conducting the search and the student's permission to perform the search shall be requested. A student's failure to cooperate with school officials conducting a search shall be considered grounds for disciplinary action.

An administrative report shall be prepared by the school official conducting a search explaining the reasons for the search, the results and the names of any witnesses to the search.

Search of School Property

School lockers, desks and other storage areas are school property and remain at all times under the control of the school. All such lockers, desks and other storage areas, as well as their contents, are subject to inspection at any time, with or without notice.

Students shall assume full responsibility for the security of their lockers and/or other storage areas in the manner approved by the administration. Students shall be responsible for whatever is contained in desks and lockers assigned to them by the school as well as for any loss or damage relating to the contents of such desks and lockers.

Search of the Student's Person or Personal Effects

The principal or designee may search the person of a student or a student's personal effects such as a purse, backpack, book bag, or briefcase on school property or at school-sponsored events or activities if the school official has reasonable grounds to suspect that the search will uncover:

Evidence of a violation of Board and/or district policies, school rules, or federal, state, or local laws.

Anything which, because of its presence, presents an immediate danger of physical harm or illness to any person.

Search of the person shall be limited to the student's pockets, any object in the student's possession such as a purse, backpack, book bag or briefcase, and/or a "pat down" of the exterior of the student's clothing.

The extent of the search of a student's person or personal effects, as well as the means to conduct the search, must be reasonably related to the objectives of the search and the nature

of the suspected violation. Additionally, school officials conducting the search shall be respectful of privacy considerations, in light of the sex and age of the student.

Searches of the person shall be conducted out of the presence of other students and as privately as possible by a person of the same sex as the student being searched. At least one person of the same sex as the student being searched shall witness but not participate in the search.

Searches of a student's person and/or personal effects may be conducted without the prior consent of the student's parent/guardian. However, the parent/guardian of any student searched shall be notified of the search as soon as reasonably possible.

Searches of the person which require removal of clothing other than a coat or jacket shall be referred to a law enforcement officer. School personnel shall not participate in such searches

Seizure of Items

Anything found in the course of a search conducted by school officials which is evidence of a violation of law or Board policy or school rules or which by its presence presents an immediate danger of physical harm may be:

Seized and offered as evidence in any suspension or expulsion proceeding. Such material shall be kept in a secure place by the principal until it is presented at the hearing.

Returned to the student or the parent/guardian.

Turned over to a law enforcement officer in accordance with this policy.

Law Enforcement Officers' Involvement

Interrogations and Interviews

When law enforcement officials request permission to question students when students are in school or participating in school activities, the principal or designee shall ascertain that the law enforcement officer has proper identification. Except when law enforcement officers have a warrant or other court order, or when an emergency or other exigent circumstance exists, such interrogations and interview are discouraged during students' class time.

It is the responsibility of the law enforcement officer interviewing student witnesses or interrogating student suspects to assure compliance with all applicable procedural safeguards. Upon request by law enforcement to interview a student witness or interrogate a student suspect, school officials shall make an effort to notify the student's parent/guardian, except in cases involving investigation of reported child abuse where the suspected perpetrator is a member of the student's family, when law enforcement has a court order directing that the student's parent/guardian not be notified, or when an emergency or other exigent circumstances exist. However, whether or not to postpone the interview or interrogation until the parent/guardian arrives is the law enforcement officer's decision.

Search and Seizure

The principal or designee may request a search on school premises be conducted by a law enforcement officer. When law enforcement respond to such a request, no school employee shall assist or otherwise participate in the search. It is expected that searches by law enforcement will be conducted in accordance with the requirements of applicable law.

Custody and/or Arrest

Students will be released to law enforcement officers if the student has been placed under arrest or if the student's parent/guardian and the student consent to such release. When a student is removed from school by law enforcement offices for any reason, school officials will make reasonable efforts to notify the student's parents/guardians.

It is expected that all procedural safeguards prescribed by law are followed by law enforcement officers conducting student arrests. However, district staff is not responsible for an officer's legal compliance when arresting a student.

(December 2000)
(Revised April 2017)

Student Organizations (JJA-1)

Schools in the district may encourage students to broaden their knowledge and citizenship by permitting the formation of clubs or other groups that relate to subject matter covered by the curriculum. Such organizations shall operate within the framework of state statutes, Board policy, administrative rules and the parameters of the learning program.

Each building principal shall develop general guidelines for the establishment and operation of student organizations within the particular school. Among other provisions, such guidelines shall require the approval of the principal prior to the formation of any club or organization in a school and the assignment of at least one faculty adviser to each approved student organization.

All student organizations are required to open membership to all interested and/or eligible students. Fraternities, sororities and/or secret societies shall not receive recognition in any manner under this policy.

All forms of hazing in initiations shall be prohibited in a student organization. No initiation shall be held for a student organization which will bring criticism to the school system or be degrading to the student.

The faculty advisor must attend every meeting of the student organization whether conducted on school premises or at another location.

The principal is responsible to determine whether the purpose of a student organization is related to the curriculum.

Student organizations shall be considered directly related to the curriculum if one or more of the following applies:

1. The subject matter of the group actually is taught in a regularly-offered course.
2. The subject matter of the group concerns the body of courses as a whole.
3. Participation in the group is required for a particular course.
4. Academic credit or extra credit is given for participation in the group.

When the principal denies the request of a student organization desiring to meet or form in a particular school, the principal shall inform the group of the reasons for the denial. The students and/or group may submit a written request to the superintendent within 10 days of the denial for a review of the principal's decision.

(January 1995)
(Revised January 2012)

Use of Physical Intervention and Restraint (JKA)

To maintain a safe learning environment, district employees may, within the scope of their employment and consistent with state law, use physical intervention and restraint with students in accordance with this policy and accompanying regulation. Such actions shall not be considered child abuse or corporal punishment if performed in good faith and in compliance with this policy and accompanying regulation.

Physical Intervention

Corporal punishment shall not be administered to any student by any district employee.

Within the scope of their employment, district employees may use reasonable and appropriate with a student, that does not constitute restraint as defined by this policy, to accomplish the following:

1. To quell a disturbance threatening physical injury to the student or others.
2. To obtain possession of weapons or other dangerous objects upon or within the control of a student.
3. For the purpose of self-defense.
4. For the protection of persons against physical injury or to prevent the destruction of property which could lead to physical injury to the student or others.

Under no circumstances shall a student be physically held for more than five minutes unless the provisions regarding restraint contained in this policy and accompanying regulation are followed.

Restraint

For the purposes of this policy and accompanying regulation, restraint is defined as any method or device used to involuntarily limit a student's freedom of movement, including but not limited to bodily physical force, or seclusion. Restraint shall not include the holding of a student for less than five minutes by a district employee for the protection of the student or others and other actions excluded from the definition of restraint in state law.

District employees shall not use restraint as a punitive form of discipline or as a threat to control or gain compliance of a student's behavior. District employees are also prohibited from restraining a student by use of a prone restraint, mechanical restraint or chemical restraint, as those terms are defined by applicable state law and this policy's accompanying regulation.

Restraint shall only be administered by district employees trained in accordance with applicable State Board of Education rules.

Exceptions

The prohibition on the use of mechanical or prone restraints in this policy and accompanying regulation shall not apply to:

1. Certified peace officers or armed security officers working in a school and who meet the legal requirements of C.R.S. 26-20-111 (3); and when the student is openly displaying a deadly weapon as defined in C.R.S. 18-1-901 (3)(e).

(January 1995)

(Revised October 2017)

Use of Physical Intervention (JKA-R)

A. Definitions

In accordance with state law and the State Board of Education rules governing the Administration of the Protection of Persons from Restraint Act, the following definitions apply for purposes of this regulation and accompanying policy.

1. "Restraint" means any method or device used to involuntarily limit freedom of movement, including but not limited to bodily physical force and seclusion.
2. "Physical restraint" means the use of bodily, physical force to involuntarily limit an individual's freedom of movement. "Physical restraint" does not include:
 - a. Holding of a student for less than five minutes by a staff person for the protection of the student or others;
 - b. Brief holding of a student by one adult for the purpose of calming or comforting the student;
 - c. Minimal physical contact for the purpose of safely escorting a student from one area to another;
 - d. Minimal physical contact for the purpose of assisting the student in completing a task or response.
3. "Mechanical restraint" means a physical device used to involuntarily restrict the movement of a student or the movement or normal function of the student's body. "Mechanical restraint" does not include:
 - a. Devices recommended by a physician, occupational therapist or physical therapist and agreed to by a student's IEP team or Section 504 team and used in accordance with the student's Individualized Education Program (IEP) or Section 504 plan;
 - b. Protective devices such as helmets, mitts, and similar devices used to prevent self-injury and in accordance with a student's IEP or Section 504 plan;
 - c. Adaptive devices to facilitate instruction or therapy and used as recommended by an occupational therapist or physical therapist, and consistent with a student's IEP or Section 504 plan; or
 - d. Positioning or securing devices used to allow treatment of a student's medical needs.
4. "Chemical restraint" means administering medication to a student (including medications prescribed by the student's physician) on an as needed basis for the sole

purpose of involuntarily limiting the student's freedom of movement. "Chemical restraint" does not include:

- a. Prescription medication that is regularly administered to the student for medical reasons other than to restrain the student's freedom of movement (e.g. Asthma-cort, medications used to treat mood disorders or ADHD, Glucagon); or
 - b. The administration of medication for voluntary or life-saving medical procedures (e.g. EpiPens, Diastat).
5. "Prone restraint" means a restraint in which the student being restrained is secured in a prone (i.e., face-down) position.
 6. "Seclusion" means the placement of a student alone in a room from which egress is involuntarily prevented. "Seclusion" does not mean:
 - a. Placement of a student in residential services in the student's room for the night; or
 - b. Time-out.
 7. "Time-out" is the removal of a student from potentially rewarding people or situations. A time-out is not used primarily to confine the student, but to limit accessibility to reinforcement. In time-out, the student is not physically prevented from leaving the designated time-out area and is effectively monitored by staff.
 8. "Emergency" means serious, probable, imminent threat of bodily injury to self or others with the present ability to effect such bodily injury. Emergency includes situations in which the student creates such a threat by abusing or destroying property.
 9. "Bodily injury" means physical pain, illness or any impairment of physical or mental condition as defined in C.R.S. 18-1-901 (3)(c).
 10. "State Board Rules" mean the State Board of Education rules governing the Administration of the Protection of Persons from Restraint Act, 1 CCR 301-45.
 11. "Parent" shall be as defined by the State Board rules.

B. Basis for Use of Restraint

Restraints shall only be used:

1. In an emergency and with extreme caution; and
2. After:
 - a. The failure of less restrictive alternatives (such as Positive Behavior Supports, constructive and non-physical de-escalation, and restructuring the environment); or
 - b. A determination that such alternatives would be inappropriate or ineffective under the circumstances.
3. Restraints shall never be used as a punitive form of discipline or as a threat to gain control or gain compliance of a student's behavior.
4. School personnel shall:
 - a. use restraints only for the period of time necessary and using no more force than necessary; and
 - b. prioritize the prevention of harm to the student.

C. Duties Related to the Use of Restraint – General Requirements

When restraints are used, the district shall ensure that:

1. no restraint is administered in such a way that the student is inhibited or impeded from breathing or communicating;
2. no restraint is administered in such a way that places excess pressure on the student's chest, back, or causes positional asphyxia;

3. restraints are only administered by district staff who have received training in accordance with the State Board rules;
4. opportunities to have the restraint removed are provided to the student who indicates he/she is willing to cease the violent or dangerous behavior;
5. when it is determined by trained district staff that the restraint is no longer necessary to protect the student or others (i.e. the emergency no longer exists), the restraint shall be removed; and
6. the student is reasonably monitored to ensure the student's physical safety.

Additionally, in the case of seclusion, staff shall reintegrate the student or clearly communicate to the student that the student is free to leave the area used to seclude the student.

D. Proper Administration of Specific Restraints

1. Chemical restraints shall not be used.
2. Mechanical and prone restraints shall not be used, except in the limited circumstances permitted by state law and described as exceptions in the accompanying policy.
3. Physical restraint
 - a. A person administering the physical restraint shall only use the amount of force necessary to stop the dangerous or violent actions of the student.
 - b. A restrained student shall be continuously monitored to ensure that the breathing of the student in such physical restraint is not compromised.
 - c. A student shall be released from physical restraint within fifteen minutes after the initiation of the restraint, except when precluded for safety reasons.
4. Seclusion
 - a. Relief periods from seclusion shall be provided for reasonable access to toilet facilities; and
 - b. Any space in which a student is secluded shall have adequate lighting, ventilation and size. To the extent possible under the specific circumstances, the space should be free of injurious items.

E. Notification Requirements

1. If there is a reasonable probability that restraint might be used with a particular student, appropriate school staff shall notify, in writing, the student's parents, and, if appropriate, the student of:
 - a. The restraint procedures (including types of restraints) that might be used;
 - b. Specific circumstances in which restraint might be used; and
 - c. Staff involved.
2. For students with disabilities, if the parents request a meeting with school personnel to discuss the notification, school personnel shall ensure that the meeting is convened.
3. The required notification may occur at the meeting where the student's behavior plan or IEP is developed/reviewed.

F. Documentation Requirements

1. If restraints are used, a written report shall be submitted within one school day to school administration.

2. The school principal or designee shall verbally notify the parents as soon as possible but no later than the end of the school day that the restraint was used.
3. A written report based on the findings of the staff review required by paragraph G. below shall be e-mailed, faxed or mailed to the student's parent within five calendar days of the use of restraint. The written report of the use of restraint shall include:
 - a. The antecedent to the student's behavior if known;
 - b. A description of the incident;
 - c. Efforts made to de-escalate the situation;
 - d. Alternatives that were attempted;
 - e. The type and duration of the restraint used;
 - f. Injuries that occurred, if any; and
4. A copy of the written report on the use of restraint shall be placed in the student's confidential file.

G. Review of Specific Incidents of Restraint

1. The district shall ensure that a review process is established and conducted for each incident of restraint used. The purpose of this review shall be to ascertain that appropriate procedures were followed and to minimize future use of restraint.
2. The review shall include, but is not limited to:
 - a. Staff review of the incident;
 - b. Follow up communication with the student and the student's family;
 - c. Review of the documentation to ensure use of alternative strategies; and
 - d. Recommendations for adjustment of procedures, if appropriate.
3. If requested by the district or the student's parents, the district shall convene a meeting to review the incident. For students with IEP's or Section 504 plans, such review may occur through the IEP or Section 504 process.

H. General Review Process

1. The district shall ensure that a general review process is established, conducted and documented in writing at least annually. The purpose of the general review is to ascertain that the district is properly administering restraint, identifying additional training needs, minimizing and preventing the use of restraint by increasing the use of positive behavior interventions, and reducing the incident of injury to students and staff.
2. The review shall include, but is not limited to:
 - a. Analysis of incident reports, including all reports prepared pursuant to paragraphs F.1 and F.3 above and including but not limited to, procedures used during the restraint, preventative or alternative techniques tried, documentation, and follow up;
 - b. Training needs of staff;
 - c. Staff to student ration; and
 - d. Environmental conditions, including physical space, student seating arrangements and noise levels.

I. Staff Training

1. The district shall ensure that staff utilizing restraint in schools are trained in accordance with the State Board rules.
2. Training shall include:
 - a. A continuum of prevention techniques;
 - b. Environmental management;

- c. A continuum of de-escalation techniques;
 - d. Nationally recognized physical management and restraint practices, including, but not limited to, techniques that allow restraint in an upright or sitting position and information about the dangers created by prone restraint;
 - e. Methods to explain the use of restraint to the student who is to be restrained to the student's family; and
 - f. Appropriate documentation and notification procedures.
3. Retraining shall occur at a frequency of at least every two years.

(October 2001)

(Revised October 2017)

Disciplinary Removal from Classroom (JKBA)

It is the policy of the Board to maintain classrooms in which student behavior does not interfere with the ability of the teacher to teach effectively or the ability of other students to participate in classroom learning activities.

Students shall be expected to abide by the code of conduct adopted by the Board and any other appropriate classroom rules of behavior established by the building principal and/or classroom teacher for the purpose of maintaining order and a favorable academic atmosphere. Any student who violates the code of conduct or other classroom rules may be subject to removal from class and/or disciplinary action. Upon the third formal removal from class, a teacher may remove the student from the teacher's class in accordance with this policy, its accompanying regulation and applicable law.

Student removal from class is a serious measure and should not be imposed in an arbitrary, casual or inconsistent manner.

Behavioral expectations are always more constructive and more likely to be followed when they are communicated as clearly as possible to students. However, it is neither possible nor necessary to specify every type of improper or inappropriate behavior, or every circumstance that would justify removal from class under this policy. Teachers are expected to exercise their best professional judgment in deciding whether it is appropriate to remove a student from class in any particular circumstance. All instances of formal removal from class shall be documented.

A teacher is authorized to immediately remove a student from the teacher's classroom if the student's behavior:

1. violates the code of conduct adopted by the Board;
2. is dangerous, unruly, or disruptive; or
3. seriously interferes with the ability of the teacher to teach the class or other students to learn.

A student with a disability may be removed from class and placed in an alternative educational setting only to the extent authorized by state and federal laws and regulations. Removal from class under this policy does not prohibit the district from pursuing or implementing additional disciplinary measures, including but not limited to detentions,

suspensions, or expulsions for the conduct or behavior for which the student was removed, in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

The superintendent is directed to establish procedures to implement this policy so that removals from a classroom occur in a consistent manner throughout the district. Parents/guardians shall be notified of the student's removal from class in accordance with established procedures.

(December 2000)

(Revised February 2014)

Disciplinary Removal from Classroom (JKBA-R)

A student who engages in classroom conduct or behavior prohibited by the code of conduct may be removed from class by a teacher and placed temporarily in an alternative setting in accordance with these procedures and consistent with state and federal law.

For purposes of this policy and procedure, a "class" includes regular classes, special classes, resource room sessions, labs, study halls, library time, school assemblies and other such learning opportunities taught or supervised by a teacher. "Teacher" means a person holding a license issued by the state who is employed to instruct, direct or supervise the instructional program. It does not include substitute teachers as defined in state law.

Informal Removal to the Principal's Office

An informal removal from class occurs when a student breaks one or several classroom rules in a class period or during the school day. The teacher may remove a student by using approved discipline management techniques such as having the student stand in the hall outside the door or some other safe "time out" environment either in or out of the classroom, or sending the student to the principal's office for a short period of time. Generally, the student will be allowed to return to his or her classroom later the same day. The procedures set forth below do not apply to an informal removal from class.

Formal Removal from Class

A teacher may formally remove a student from class for the following conduct or behavior:

1. Conduct that is prohibited in the student code of conduct. A teacher's decision to remove a student from class for behavior covered by board policies regarding suspension and expulsion may, but does not necessarily, mean that the student will also be suspended or expelled.
2. Disruptive, dangerous, or unruly behavior. The following behavior, by way of example and without limitation, may be determined to be disruptive, dangerous, or unruly:
 - a. inappropriate physical contact intended or likely to hurt, distract, or annoy others such as hitting, biting, pushing, shoving, poking, pinching, or grabbing;
 - b. inappropriate verbal conduct intended or likely to upset, distract, or annoy others such as name calling, teasing, or baiting;
 - c. behavior that may constitute sexual or other harassment;

- d. repeated or extreme inappropriate verbal conduct likely to disrupt the educational environment, particularly when others are talking (e.g., lecture by teacher, response by other student, presentation by visitor) or during quiet study time;
 - e. Throwing any object, particularly one likely to cause harm or damage such as books, pencils, scissors, etc.;
 - f. inciting other students to act inappropriately or to disobey the teacher or school or class rules, including without limitation, inciting others to walk out;
 - g. destroying or damaging the property of the school, the teacher or another student; or
 - h. loud, obnoxious, or outrageous behavior.
3. Conduct that otherwise interferes with the ability of the teacher to teach effectively. Students are required to cooperate with the teacher by listening attentively, obeying all instructions promptly, and responding appropriately when called upon. A student's noncompliance may, in turn, distract others either by setting a bad example or by diverting the class from the lesson to the student's inappropriate behavior. By way of example and without limitation, this behavior includes:
- a. Open defiance of the teacher, manifest in words, gestures, or other overt behavior;
 - b. Open disrespect of the teacher, manifest in words, gestures, or other overt behavior;
or
 - c. Other behavior likely or intended to sabotage or undermine classroom instruction.

Procedures to be Followed for Formally Removing a Student from Class

Unless the behavior is extreme as determined by the teacher, a teacher shall warn a student that continued misbehavior may lead to removal from class. When the teacher determines that removal is appropriate, the teacher should take one of the following courses of action:

1. Instruct the student to go to the main office. Unless prevented by the immediate circumstances, the teacher shall send a note with the student stating the reason for the student's removal and call the building principal's office.
2. Obtain coverage for the class and escort the student to the main school office. The teacher shall inform the building principal or designee of the reason for the student's removal from class.
3. Seek assistance from the main school office or other available staff. When assistance arrives, the teacher or the other staff member should accompany the student to the main office. The principal or designee shall be informed of the reason for the student's removal.

Within 24 hours of the student's removal from class, the teacher shall submit to the building principal or designee a short and concise written explanation of the basis for the student's removal from class.

Notice to Parent/Guardian

As soon as practicable, the building principal or designee shall notify the student's parent/guardian, in writing, that the student was removed from class. The written notice shall specify the class from which the student was removed, the duration of the removal, and the basis for the removal as stated by the teacher. The notice shall provide an opportunity for the parent/guardian to attend a student-teacher conference regarding the removal. If the student's removal from class is also subject to disciplinary action (i.e., suspension or expulsion) for the particular classroom misconduct, the student's parent/guardian shall also be notified of the disciplinary action in accordance with legal and policy requirements.

Placement Procedures

Each building principal shall designate a room or other suitable place in the school to serve as the short-term removal area.

When the student arrives at the main office, the building principal or designee shall give the student an opportunity to briefly explain the situation. If the building principal or designee is not available immediately upon the student's arrival, the student will be taken to the designated short-term removal area and the principal or designee will speak to the student as soon as practicable.

At the discretion of the building principal or designee, the student may be placed in another appropriate class, program or educational setting, provided students are supervised in such alternative setting.

Students placed in the short-term removal area shall be supervised. During their time of placement, students are expected to do work of an academic nature. If possible, such work shall be related to the work in the class from which the student was removed or may be related to the student's misconduct. In no event shall a student's time in the short-term removal area be recreation or other free time.

In most cases, a student shall remain in the short-term removal area for the duration of the class from which he or she was removed. Prior to allowing the student to resume his or her normal schedule, the building principal or designee shall speak to the student to determine whether the student is, or appears to be, ready and able to return to class without recurrence of the behavior for which the student was removed. In the event it is not deemed appropriate to return the student to regular classes, the building principal or designee may consider a different placement option.

Behavior Plan

The principal or designee and teacher shall consider whether a behavior plan should be developed for the student upon the student's first removal from class. The behavior plan will be similar, if not the same, as a remedial discipline plan developed for disruptive students in accordance with the Board's policy on student discipline. A behavior plan shall be developed after the teacher formally removes a student from class for the second time and must be developed and implemented before a student may be removed from class for the remainder of the term of the class.

Removal for Remainder of Term

Upon the third formal removal from class, a student shall be officially removed from the teacher's class for the remainder of the term. The principal shall be responsible for determining the appropriate placement of the student, which may or may not be another section of the same class, depending on a variety of circumstances. The principal's decision regarding placement is final.

Once a student is officially removed from class, a loss of credit may occur if the principal determines that it would be too disruptive to enroll the student in another class after the start of the term.

Review by Principal

The principal is required to collect data pertaining to the number of students who are removed from class during the year. This information will be reported to the public on the safety section of the school report card. While there are a variety of factors to consider when analyzing this data, an unusually high number of formal documented student removals from any one teacher may be cause for concern. The principal shall review this data with teachers at least annually.

A student may be removed from a classroom by a teacher only in accordance with the requirements of this policy and accompanying policy and the applicable provisions of state and federal law. All teacher actions under this policy shall be subject to evaluation and supervision by the teacher's supervisor as provided in board policies and procedures.

(December 2000)

(Revised October 2017)

Suspension/Expulsion of Students (JKD/JKE)

The Board of Education shall provide due process of law to students, parents/guardians and school personnel through written procedures consistent with law for the suspension or expulsion of students and the denial of admission. (See JKD/JKE-R) In matters involving student misconduct that may or will result in the student's suspension and/or expulsion, the student's parent/guardian shall be notified and involved to the greatest possible extent in the disciplinary procedures.

Proportionate disciplinary interventions and consequences shall be imposed to address the student's misconduct and maintain a safe and supportive learning environment for students and staff.

The Board and its designee(s) shall consider the following factors in determining whether to suspend or expel a student:

1. The student's age;
2. The student's disciplinary history;
3. The student's eligibility as a student with a disability;
4. The seriousness of the violation committed by the student;
5. The threat posed to any student or staff; and
6. The likelihood that a lesser intervention would properly address the violation.

Other Disciplinary Interventions

In lieu of an out-of-school suspension or expulsion and in accordance with applicable law, the principal or designee may consider the use of available interventions to address the student's misconduct. The use of such interventions will vary, depending upon the facts and circumstances of an individual case. Such interventions shall be at the principal's or designee's sole discretion and include but are not limited to: detention, in-school suspension, counseling, participation in the district's positive behavioral intervention support (PBIS) program, peer mediation, referral to a juvenile assessment center for counseling or other services, or other approaches to address the student's misconduct that do not involve an out-

of-school suspension or expulsion and minimize the student's exposure to the criminal and juvenile justice system.

As an alternative to suspension, the principal or designee may permit the student to remain in school with the consent of his teachers if the parent/ guardian attends class with the student for a period of time specified by the principal or designee. If the parent/guardian does not agree or fails to attend class with the student, the student shall be suspended in accordance with the accompanying regulations.

This alternative to suspension shall not be used if expulsion proceedings have been or are about to be initiated or if the principal or designee determines that the student's presence in school, even if accompanied by a parent/guardian, would be disruptive to the operations of the school or be detrimental to the learning environment.

Nothing in this policy shall limit the Board's and its designees' authority to suspend and/or expel a student as deemed appropriate by the Board and its designees.

The decision to suspend and/or expel a student instead of providing an alternative to suspension or expulsion or the failure of an intervention to remediate the student's behavior shall not be grounds to prevent the Board and its designees from proceeding with appropriate disciplinary measures, including but not limited to suspension and/or expulsion.

Delegation of Authority

1. The Board of Education delegates to the principals of the school district or to a person designated in writing by the principal the power to suspend a student in his school for not more than five school days on the grounds stated in C.R.S. 22-33-106 (1)(a), (1)(b), (1)(c), or (1)(e) or not more than 10 school days on the grounds stated in C.R.S. 22-33-106 (1)(d) unless expulsion is mandatory under law (see exhibit coded JKD/JKE-E), but the total period of suspension shall not exceed 25 school days.
2. The Board of Education delegates to the superintendent of schools the authority to suspend a student, in accordance with C.R.S. 22-33-105, for an additional 10 school days plus up to and including an additional 10 days necessary in order to present the matter to the Board.
 1. Unless otherwise determined by the Board, the Board of Education delegates to the superintendent of schools or to a designee who shall serve as a hearing officer the authority to deny admission to or expel for any period not extending beyond one year any student whom the superintendent, in accordance with the limitations imposed by Title 22, Article 33, of the Colorado Revised Statutes, shall determine does not qualify for admission to or continued attendance at the public schools of the district. If the hearing is conducted by a designee serving as a hearing officer, the hearing officer shall prepare findings of fact and recommendations for the superintendent at the conclusion of the hearing. The superintendent shall render a written opinion in the expulsion matter within five days after the hearing whether the hearing is conducted by the hearing officer or the superintendent.

The superintendent shall report on each case acted upon at the next meeting of the Board, briefly describing the circumstances and the reasons for his action. Such denial of admission or expulsion by the superintendent shall be subject to appeal to the Board. The appeal shall consist of a review of the facts that were presented, arguments relating to the decision and questions of clarification from the Board.

Expulsion for Unlawful Sexual Behavior or Crime of Violence

When a petition is filed in juvenile court or district court that alleges a student between the ages of 12 to 18 years has committed an offense that would constitute unlawful sexual behavior or a crime of violence if committed by an adult, basic identification information, as defined in state law, along with the details of the alleged delinquent act or offense, is required by law to be provided immediately to the school district in which the juvenile is enrolled.

The information shall be used by the Board of Education to determine whether the student has exhibited behavior that is detrimental to the safety, welfare, and morals of the other students or school personnel and whether educating the student in the school may disrupt the learning environment in the school, provide a negative example for other students, or create a dangerous and unsafe environment for students, teachers, and other school personnel. The Board shall take appropriate disciplinary action, which may include suspension or expulsion, in accordance with the student code of conduct and related policies.

The Board may determine to wait until the conclusion of court proceedings to consider expulsion, in which case it shall be the responsibility of the district to provide an alternative educational program for the student as specified in state law.

(October 1996)
(Revised May 2018)

Disciplinary Removal from Classroom (JKD/JKE-R)

A. Procedure for suspension of 10 days or less

Through written policy the Board of Education has delegated to any school principal the power to suspend a student for not more than five or ten days, depending upon the type of infraction. Pursuant to policy JKD/JKE, the superintendent has been delegated the power to suspend a student for additional periods of time. However, the total period of suspension shall not exceed 25 school days. As a general rule, a suspension will be ten days or less.

The following procedures shall be followed in any suspension, unless the student is suspended pending an expulsion proceeding, in which case the expulsion procedures shall apply.

1. **Notice.** The principal, designee or the superintendent at the time of contemplated action will give the student and the parent/guardian notice of the contemplated action. Such notice may be oral or in writing. If oral, such notice will be given in person. If written, delivery may be by United States mail addressed to the last known address of the student or student's parent/guardian.
2. **Contents of notice.** The notice will contain the following basic information:
 - a. A statement of the charges against the student.
 - b. A statement of what the student is accused of doing.
 - c. A statement of the basis of the allegation. Specific names may be withheld if necessary.

This information need not be set out formally but should sufficiently inform the student and parent/guardian of the basis for the contemplated action.

3. **Informal hearing.** In an informal setting, the student will be given an opportunity to admit or deny the accusation and to give his or her version of the events. The administrator may allow the student to call witnesses or may personally call the accuser or other witnesses. The administrator may hold a more extensive hearing in order to gather relevant information prior to making a decision on the contemplated action.
4. **Timing.** The notice and informal hearing should precede removal of the student from school. There need be no delay between the time notice is given and the time of the informal hearing.
5. **If the student's presence in school presents a danger.** Notice and an informal hearing need not be given prior to removal from school where a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process. In this case, an informal hearing shall follow as soon after the pupil's removal as practicable.
6. **Notification following suspension.** If a student is suspended the administrator delegated the authority to suspend will immediately notify the parent/guardian that the student has been suspended, the grounds for such suspension and the period of such suspension. The notification will include the time and place for the parent/guardian to meet with the administrator to review the suspension.
7. **Removal from school grounds.** A suspended student must leave the school building and the school grounds immediately after the parent/guardian and administrator have determined the best way to transfer custody of the student to the parent/guardian.
8. **Readmittance.** No student will be readmitted to school until the meeting with the parent/guardian has taken place or until, in the opinion of the administrator, the parent/guardian has substantially agreed to review the suspension with the administrator. However, if the administrator cannot contact the parent/guardian or if the parent/guardian repeatedly fails to appear for scheduled meetings, the administrator may readmit the student. The meeting will address whether there is a need to develop a remedial discipline plan for the student in an effort to prevent further disciplinary action.
9. **Make-up work.** Suspended students shall be provided an opportunity to make up school work during the period of suspension, so the student is able to reintegrate into the educational program of the district following the period of suspension. Students may receive the minimal amount of credit to pass for makeup work which is completed satisfactorily.

B. Procedure for expulsion or denial of admission

In the event that the Board of Education contemplates action denying admission to any student or prospective student or expelling any student, the following procedures shall be followed:

1. **Notice.** Not less than ten days prior to the date of the contemplated action, the Board of Education or an appropriate administrative officer of the district will cause written notice of such proposed action to be delivered to the student and the student's parent/guardian. Such delivery may be by United States mail addressed to the last known address of the student or the student's parent/guardian.
2. **Emergency notice.** In the event it is determined that an emergency exists necessitating a shorter period of notice, the period of notice may be shortened provided that the student or the student's parent/guardian have actual notice of the hearing prior to the time it is held.

3. **Contents of notice.** The notice will contain the following basic information:
 - a. A statement of the basic reasons alleged for the contemplated denial of admission or expulsion.
 - b. A statement that a hearing on the question of expulsion or denial of admission will be held if requested by the student or parent/guardian within five days after the date of the notice.
 - c. A statement of the date, time and place of the hearing in the event one is requested.
 - d. A statement that the student may be present at the hearing and hear all information against him or her, that the student will have an opportunity to present such information as is relevant and that the student may be accompanied and represented by a parent/guardian and an attorney.
 - e. A statement that failure to participate in such hearing constitutes a waiver of further rights in the matter.
4. **Conduct of hearing.** A hearing may be requested by the parent/guardian. Such hearing will be conducted by a hearing officer. The hearing may be conducted in open session or may be closed except to those individuals deemed advisable by the hearing officer but including in all events the student, the parent/guardian and, if requested, the student's attorney. Such individuals as may have pertinent information will be admitted to a closed hearing to the extent necessary to provide such information.

Testimony and information may be presented under oath. However, technical rules of evidence will not be applicable, and the hearing officer may consider and give appropriate weight to such information or evidence he deems appropriate.

The student's written statement, if any, may be presented as evidence in accordance with applicable law. The student or representative may question individuals presenting information.

A sufficient record of the proceedings shall be kept so as to enable a transcript to be prepared in the event either party so requests. Preparation of the transcript will be at the expense of the party requesting the same.

The hearing officer will make specific factual findings and submit those findings and a recommendation regarding expulsion to the superintendent. The superintendent will review the hearing officer's factual findings and recommendation and issue a written decision within five days of the hearing.

5. **Appeal.** Within ten (10) days after the decision of the superintendent, the student may appeal the decision to the Board. Failure to request an appeal within ten (10) days shall result in a waiver of the right to appeal and the superintendent's decision shall become final. At its sole discretion, the Board may grant an appeal hearing for requests made more than 10 days after the denial (C.R.S. 22-33-105 A(2)(c)).

If an appeal is properly requested, the Board will review the record concerning the expulsion. The record includes notices and other documents concerning the suspension and expulsion, the transcript of the testimony, if any, the hearing exhibits, the findings and recommendation of the hearing officer, the hearing officer's written decision, and other documents concerning the expulsion. The student may be represented by counsel at the appeal. Representatives of the district and the parents may make brief

statements to the Board, but no new evidence may be presented unless such evidence was not reasonably discoverable at the time of the hearing. Members of the Board may ask questions for purposes of clarification of the record.

The Board will make final determination regarding the expulsion of the student and shall inform the student and parent/guardian of the right to judicial review.

6. **Information to parents.** Upon expelling a student, district personnel shall provide information to the student's parent/guardian concerning the educational alternatives available to the student during the period of expulsion, including the right of parents to request that the district provide services during the expulsion. If the parent/guardian chooses to provide a home-based education program for the student, district personnel will assist the parent in obtaining appropriate curricula for the student if requested by the parent/guardian.

If a student is expelled for the remainder of the school year and is not receiving educational services through the district, the school district shall contact the expelled student's parent/guardian at least once every 60 days until the beginning of the next school year to determine whether the child is receiving educational services. District personnel need not contact the parent/guardian after the student is enrolled in another school district or in an independent or parochial school, or if the student is committed to the department of human services or sentenced to a juvenile or adult detention facility.

7. **Re-admittance.** A student who has been expelled shall be prohibited from enrolling or re-enrolling in the same school in which the victim of the offense or member of the victim's immediate family is enrolled or employed when:
 - a. the expelled student was convicted of a crime, adjudicated a juvenile delinquent, received a deferred judgment or was placed in a diversion program as a result of committing the offense for which the student was expelled;
 - b. there is an identifiable victim of the expelled student's offense; and
 - c. the offense for which the student was expelled does not constitute a crime against property.

If the district has no actual knowledge of the name of the victim, the expelled student shall be prohibited from enrolling or re-enrolling only upon request of the victim or a member of the victim's immediate family.

No student will be readmitted to school until after a meeting between the principal or designee and the parent/guardian has taken place except that if the administrator cannot contact the parent/guardian or if the parent/guardian repeatedly fails to appear for scheduled meetings, the administrator may readmit the student.

C. Procedure for Expulsion for Crimes of Violence

The following procedures will apply when the district receives notification that a student has been charged in juvenile or district court with a crime of violence or unlawful sexual behavior, as those terms are defined by state law.

1. The Board or its designee will make a preliminary determination whether it will proceed with an expulsion hearing, based on the following factors:
 - a. Whether the student has exhibited behavior that is detrimental to the safety, welfare and morals of other students or school personnel.

- b. Whether educating the student in school would disrupt the learning environment, provide a negative example for other students or create a dangerous and unsafe environment for students, teachers or other school personnel.

The determination may be made in executive session to the extent allowed by state law.

2. If it is determined that the student should not be educated in the schools of the district, the district may suspend or expel the student, in accordance with the procedures set forth above.
3. Alternatively, expulsion proceedings may be postponed, pending the outcome of the court proceedings. If the suspension or expulsion proceedings are postponed, the student will not be permitted to return to school during that period. An appropriate alternative education program, including but not limited to, an on-line program authorized by state law or a home-based education program, will be established for the student during the period pending the resolution of the juvenile proceedings. The time that a student spends in an alternative education program shall not be considered a period of expulsion.
4. If the student pleads guilty to the charge, is found guilty or is adjudicated a delinquent juvenile, the Board or designee may proceed to suspend or expel the student following the procedures set forth in these regulations.
5. Information regarding the details of the alleged crime of violence or unlawful sexual behavior will be used by the Board or its designee for the purposes set forth in this policy, but will remain confidential unless the information is otherwise available to the public by law.

(December 2000)

(Revised October 2017)

Student Fees, Fines, and Charges (JQ)

Students shall not be charged an instructional fee as a condition of enrollment in school or as a condition of attendance in any class that is considered part of the academic portion of the district's educational program except tuition when allowed by law. However, the district may require students to pay textbook fees, fees for expendable materials and other miscellaneous fees as more fully set forth in this policy.

All student fees and charges shall be adopted by the Board. The fee shall remain in place until modified or removed by Board resolution. All student fees adopted by the Board shall be used for the purposes set forth in the motion and shall not be spent for any other purpose.

When publicizing any information concerning any fee authorized to be collected by this policy, the school will specify whether the fee is voluntary or mandatory and the specific activity from which the student will be excluded if the fee is not paid.

Among the fees which the Board may authorize are the following:

Textbook, Library Resources and Other School Property

Textbooks shall be provided on a loan basis. Students may be asked to pay a nonrefundable rental fee reasonably related to the actual cost of some or all of the textbooks provided for the student. The rental fee and corresponding replacement fee shall be adopted by the Board prior to the textbook's introduction into the classroom. No rental fee will be assessed for textbooks, and workbooks used in the classroom for reference.

It is expected that students shall return textbooks, library resources and other school property to the school in good condition except for ordinary wear. Students shall be assessed fines for lost, damaged or defaced books (including those checked out from the library), materials or equipment. The fines will be for the replacement amount of the loss.

If the school district has made a reasonable effort to obtain payment for lost or damaged textbooks, library resources or other school property and the student is graduating, the district may deny the privilege of participation in the graduation ceremony if the student fails to return or replace a textbook, library resource or other school property by the date of the ceremony. Alternative payment methods, such as installment plans or school service, shall apply to students who are unable to pay.

A student shall not be refused use of textbooks based on failure to pay the required fees.

Fees for expendable supplies and materials

Teachers shall determine a basic course for each class which can be completed with materials furnished by the school.

However, students may be charged a fee for expendable supplies and materials used in the course. Fees for expendable supplies and materials shall relate directly to the actual cost of providing these materials to the student. These fees shall be waived for indigent students. Students shall be required to pay for materials that go into shop, crafts or art projects that are above the basic requirements for the course and are to be retained by the student.

Miscellaneous Fees

Students may be asked to pay miscellaneous fees on a voluntary basis as a condition of attending, participating in, or obtaining materials/clothing/equipment used in a school-sponsored activity or program not within the academic portion of the educational program.

Rental fees for the use of items such as choral robes, band uniforms and school-owned instruments shall be approved by the Board upon the recommendation of the superintendent.

Students participating in activities which are not required by the teacher or used in the determination of a grade may be required to pay charges covering the cost of the activity. Such charges may include but are not limited to admission fees, food costs and transportation costs on activity trips. However, it is incumbent upon the teacher and principal to make every effort to be sure no student is denied the right to participate in trips or other enrichment activities because of lack of funds.

The district may impose and collect a fee for the payment of excess transportation costs in accordance with state law. Only those students who use the district's transportation services shall be required to pay any transportation fee.

Waiver of Fees

All fees, fines and charges for textbooks and expendable supplies and materials required for classes within the academic portion of the educational program and any transportation fee shall be waived for indigent students. For purposes of determining if a student is able to pay, an indigent student is defined as any child who is eligible for a free or reduced-price lunch under the federal poverty income guidelines.

All fees for textbooks, expendable supplies and materials, and miscellaneous fees shall be waived for students in out-of-home placements, as that term is defined by C.R.S. 22-32-138(1)(e).

Parents shall be informed on the fee schedule or otherwise regarding how to apply for a waiver of fees, whether fees are voluntary or mandatory and the specific activity from which the student will be excluded if the fee is not paid. Students qualifying for a fee waiver will receive it without unnecessary embarrassment or public exposure of their need.

Fee Schedule

The district shall prepare and make available upon request a complete list of student fees, describing how the amount of each fee was derived and the purpose of each fee.

(November 1996)
(Revised April 2018)

Student Records/Release of Information on Students (JRA/JRC)

In recognition of the confidential nature of student education records, no person or agency may access student education records without prior written consent from the student's parent/guardian or the eligible student, except as set forth in law and this policy.

The superintendent or designee shall provide for the proper administration of student records in accordance with law, including the implementation of safeguard measures or procedures regarding access to and disclosure of student education records.

Content and custody of student education records

The principal is the official custodian of records in his or her building.

Student education records in all formats and media, including photographic and electronic, are those records that relate directly to a student. Student education records may contain, but will not necessarily be limited to, the following information: identifying data; academic work completed; level of achievement (grades, standardized achievement test scores); attendance data; scores on standardized intelligence, aptitude and psychological tests; interest inventory results; health and medical information; family background information; teacher or counselor ratings and observations, and reports of serious or recurrent behavior patterns and any individualized education program (IEP).

Student education records do not include records maintained by a law enforcement unit of the school or school district that are created by that unit for the purpose of law enforcement.

Nothing in this policy shall prevent administrators, teachers or staff from disclosing information derived from personal knowledge or observation and not derived from a student's education records.

In accordance with applicable law, requests for inspection and review of education records, requests for copies of such records, and disclosure of personally identifiable information therein shall be maintained as a part of each student's education records.

School personnel shall use reasonable methods to authenticate the identity of parents, students, school officials, and any other party to whom they disclose student education records. Authentication of identity prior to disclosure of electronic records through passwords or other security measures shall be required.

Access to student education records by parents and eligible students

A parent/guardian ("parent") has the right to inspect and review their child's education records, if the student is under 18 years of age. If a student is 18 years old or older ("eligible student"), the student may inspect or review his or her own education records and provide written consent for disclosure of such records and personally identifiable information therein.

However, the parent is also entitled to access his/her child's education records, despite the lack of written consent from the eligible student, if the eligible student is a dependent for federal income tax purposes or the disclosure is in connection with a health or safety emergency. Access to student education records by parents or eligible students shall be in accordance with the regulation accompanying this policy.

Request to amend student education records

A parent or eligible student may ask the district to amend a student education record they believe is inaccurate, misleading or otherwise violates the privacy rights of the student. Student grades cannot be challenged pursuant to this policy. Requests to amend a student education record shall be in accordance with the regulation accompanying this policy.

Disclosure with written consent

Whenever the district is required by law or policy to seek written consent prior to disclosing personally identifiable information from a student's education record, the notice provided to the parent/guardian or eligible student shall contain the following;

- a. the specific records to be disclosed;
- b. the specific reasons for such disclosure;
- c. the specific identity of any person, agency or organization requesting such information and the intended uses of the information;
- d. the method or manner by which the records will be disclosed; and
- e. the right to review or receive a copy of the records to be disclosed.

The parent's or eligible student's consent shall only be valid for the specific instance for which it was given. Consent for a student to participate in any course, school activity, special education program or in any other school program shall not constitute the specific written consent required by this policy.

All signed consent forms shall be retained by the school district.

Disclosure without written consent

The district may disclose student educational records or personally identifiable information contained therein without written consent of the parent or eligible student if the disclosure meets one of the following conditions:

1. The disclosure is to a school official having a legitimate educational interest in the student education record or the personally identifiable information contained therein. In accordance with law, only those school officials who have a legitimate educational interest as described in this policy shall be permitted access to specific student education records.
 - a. For purposes of this policy, a “school official” is a person employed by the district as an administrator, supervisor, teacher or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Education; a person or company with whom the district has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, consultant or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student or other volunteer assisting another school official in performing his or her tasks.
 - b. A school official has a “legitimate educational interest” if disclosure to the school official is: (1) necessary for that official to perform appropriate tasks that are specified in his or her position description or by a contract agreement; (2) used within the context of official district business and not for purposes extraneous to the official’s areas of responsibility; (3) relevant to the accomplishment of some task or to a determination about the student; and (4) consistent with the purposes for which the data are maintained.
2. The disclosure is to officials of another school, school system or postsecondary institution that has requested the records and in which the student seeks or intends to enroll, or has enrolled. Any records sent during the student’s application or transfer period may be supplemented, updated or corrected as necessary.
3. The disclosure is to authorize representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, and state educational authorities.
4. The disclosure is in connection with a student’s application for, or receipt of, financial aid.
5. The disclosure is to state and local officials and concerns the juvenile justice system’s ability to effectively serve, prior to adjudication, the student whose records are disclosed as provided under the Colorado Open Records Act and Colorado Children’s Code. Such records and personally identifiable information shall only be disclosed upon written certification by the officials that the records and information will not be disclosed to any other party, except as specifically authorized or required by law, without the prior written consent of the parent or eligible student.
6. The disclosure is to organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate or administer predictive tests; to administer student aid programs; or to improve instruction.
7. The disclosure is to accrediting organizations for accrediting functions.
8. The disclosure is to the parent of an eligible student and the student is a dependent for IRS tax purposes.
9. The disclosure is in connection with an emergency, if knowledge of the information is necessary to protect the health or safety of the student or others.

10. The disclosure is to comply with a judicial order or lawful subpoena. Unless specified in the order or subpoena, the district shall make a reasonable effort to notify the parent or eligible student prior to complying with the order or subpoena.
11. The disclosure is of “directory information” as defined by this policy.

Disclosure of directory information

Directory information may also be disclosed without written consent of the parent or eligible student. “Directory information” means information contained in a student’s education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information which may be released includes but is not limited to the student’s name, e-mail address, photograph, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, grade level, enrollment status, degrees, honors and awards received, the most recent previous education agency or institution attended by the student, and other similar information.

Directory information also includes a student identification number or other unique personal identifier displayed on a student ID badge or used by the student to access or communicate in electronic systems, but only if the identifier cannot be used to gain access to student education records except when used in conjunction with one or more factors that authenticate the user’s identity, such as a password known only by the authorized user.

Student telephone numbers and addresses shall not be disclosed pursuant to this section.

The parent or eligible student has the right to refuse to permit the designation of any or all of the categories of directory information if such refusal is received in writing in the office of the principal of the school where the student is in attendance within 10 days of enrollment or start of the school year.

Disclosure of disciplinary information to school personnel

In accordance with state law, the principal or designee shall communicate disciplinary information concerning any student enrolled in the school to any teacher who has direct contact with the student in the classroom and to any counselor who has direct contact with the student. Any teacher or counselor to whom disciplinary information is reported shall maintain the confidentiality of the information and shall not communicate it to any other person.

State law requires the principal or designee to inform the student and the student’s parent when disciplinary information is communicated and to provide a copy of the shared disciplinary information. The student and/or the student’s parent may challenge the accuracy of such disciplinary information through the process outlined in this policy and accompanying regulation.

Disclosure to military recruiting officers

Names, addresses and home telephone numbers, as well as directory information, of secondary school students shall be released to military recruiting officers within 90 days of the request, unless a parent or student submits a written request that such information not be released. Reasonable and customary actual expenses directly incurred by the district in furnishing this information shall be paid by the requesting service.

Disclosure to Medicaid

In all cases in which a student is enrolled in the Colorado Medicaid program, the district shall release directory information consisting of the student's name, date of birth, and gender to Health Care Policy and Financing (Colorado's Medicaid agency) to verify Medicaid eligibility of students. The district shall obtain written consent annually from a parent before the release of any non-directory information required for billing. To accomplish this, the district shall:

- Include a consent form with the "start of school" information each fall or;
- Include a consent form with IEP packet materials.

Disclosure to the Colorado Commission on Higher Education (CCHE)

On or before December 31 of each school year, the school district shall disclose to the CCHE the names and mailing addresses of those students enrolled in the eighth grade for use in mailing the notice of postsecondary education opportunities and higher education admission guidelines as required by state law.

Annual notification of rights

The district shall notify parents and eligible students of their rights pursuant to this policy at the beginning of each academic year. For notice to parents or eligible students who are disabled or whose primary or home language is other than English, the format or method of notice will be modified so it is reasonably likely to inform them of their rights.

A copy of the Family Educational Rights and Privacy Act and this policy and accompanying regulation and exhibit may be obtained from the office of the superintendent during normal business hours.

Governing law

The district shall comply with the Family Educational Right and Privacy Act (FERPA) and its regulations as well as state law governing the confidentiality of student education records. The district shall be entitled to take all actions and exercise all options authorized under the law.

In the event this policy or accompanying regulation does not address a provision in applicable state or federal law, or is inconsistent with or in conflict with applicable state or federal law, the provisions of applicable state or federal law shall control.

(October 1996)
(Revised June 2014)

**Student Records/Release of Information on Students
(Review, Amendment and Hearing Procedures)
(JRA/JRC-R)**

In accordance with policy JRA/JRC, this regulation contains the procedures to follow when a parent or eligible student seeks to review the student's education records.

Request to Review Student Education Records

1. The parent or eligible student shall submit a written request to the principal of the school attended by the student, asking to review the student's education records.
2. Upon receipt of the written request, the principal or designee shall set a date and time for inspection and review of the records (usually within three working days after the request has been made).
3. The parent or eligible student shall examine the student's education records in the presence of the principal and/or other person(s) designated by the principal. The record itself shall not be taken from the school building.
4. During inspection and review of student education records by a parent or eligible student and when requested by them, the principal will provide personnel necessary to give explanations and interpretations of the records.
5. Upon request, one copy of the record shall be provided within a reasonable time to the parent or eligible student. Charges may apply to this request.

Request to Amend Student Education Records

1. The parent or eligible student shall submit a written request to the principal (or appropriate school official), clearly identifying the part of the record to be amended and specifying why the record is inaccurate, misleading or otherwise violates the student's privacy rights.
2. The written request to amend the student's education records must be made in writing within 10 school days of the date the records were first examined by the parent or eligible student, unless additional time is granted by the district for good cause shown.
3. If the principal or school official denies the request to amend the student education record, the principal/school official shall notify the parent or eligible student of the decision and advise him or her of the right to a hearing to appeal the denial.

Request for a Formal Hearing

A request for a formal hearing must be made in writing and addressed to the superintendent of schools. The district's response to the request shall be mailed within 10 school days.

The hearing shall be held in accordance with the following:

1. The hearing will be held within 25 school days after receipt of the request. Notice of the date, place and time of the hearing will be forwarded to the parent or eligible student by certified mail.
2. The hearing will be conducted by a principal or higher administrative official as designated in writing by the superintendent. The official conducting the hearing shall not be the principal who made the initial decision nor shall it be anyone with a direct interest in the outcome of the hearing.
3. Parents or eligible students shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of their choice at their own expense, including an attorney.
4. The official designated above shall make a decision in writing within 20 school days following the conclusion of the hearing and shall notify the parent or eligible student of that decision by certified mail.
5. The decision of the official shall be based upon the evidence presented at the hearing and shall include a summary of the evidence and the reason for the decision.
6. The decision shall include a statement informing the parents or eligible student of the right to place in the student education record a statement commenting upon the information in the records and/or setting forth any reason for disagreement. Any explanation placed in the records shall be maintained by the district. If the student

education record is disclosed by the district to any other party, the explanation shall also be disclosed to that party.

(September 2012)

**Student Records/Release of Information on Students
(Notification to Parents and Students of Rights Concerning Student Education Records)
(JRA/JRC-E-1)**

The Family Educational Rights and Privacy Act (FERPA) and Colorado law afford parents/guardians (parents) and students over 18 years of age (eligible students) certain rights with respect to the student's education records as follows:

1. The right to inspect and review the student's education records within a reasonable time period after the request for access is made (not to exceed 45 days). See JRA/JRC-R. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading or otherwise violates the student's privacy rights. See JRA/JRC-R
2. The right to privacy of personally identifiable information in the student's education records, except to the extent that FERPA and state law authorize disclosure without consent. See JRA/JRC.
3. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:
 - Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-8520.
4. The right to refuse to permit the designation of any or all of the categories of directory information. See JRA/JRC.
5. The right to request that information not be provided to military recruiting officers. See JRA/JRC and JRA/JRC-E-2

(August 2010)

(Revised January 2012)

**Sharing of Student Records/Information between School District and State Agencies
(JRCA)**

It is the Board of Education's intention to utilize all avenues under state law to facilitate the sharing of relevant student records and information when necessary to protect the safety and welfare of school district staff, visitors, students, and the public and to protect property.

The superintendent is directed to develop procedures and a training program for staff consistent with this policy. The procedures shall direct school district personnel to provide and obtain student records and information to/from state agencies, including law enforcement and judicial department agencies, to the extent required or allowed by state and federal law.

Sharing of Information by the School District

Disciplinary and attendance information shall only be shared with a criminal justice agency investigating a criminal matter concerning a student enrolled or who will enroll in the school district when necessary to effectively serve the student prior to adjudication. Such information shall only be shared upon written certification by the criminal justice agency that the information will not be disclosed to any other party, except as specifically authorized or required by law, without the prior written consent of the student's parent/guardian.

School personnel who share disciplinary and attendance information concerning a student pursuant to this policy are immune from civil and criminal liability if they act in good faith compliance with state law.

Nothing in this policy shall prevent administrators, teachers or staff from disclosing information derived from personal knowledge or observation and not derived from student's education records.

Information Obtained from State Agencies

Within the bounds of state law, school district personnel shall seek to obtain such information regarding students as is required to perform their legal duties and responsibilities, including to protect public safety and safety of the student. Such information may be obtained from the judicial department or any state agency that performs duties and functions under the Colorado Children's Code.

School district personnel receiving such information shall use it only in the performance of their legal duties and responsibilities and shall otherwise maintain the confidentiality of all information obtained. School personnel who knowingly violate this provision are subject to disciplinary action pursuant to district policy and to a civil penalty of up to \$1,000.

If such information is shared with another school or school district to which a student may be transferring, it shall only be shared in compliance with the requirements of federal law, including the Family Education Rights and Privacy Act of 1974 ("FERPA").

When a petition is filed in juvenile court or district court that alleges a student between the ages of 12 to 18 years has committed an offense that would constitute unlawful sexual behavior or a crime of violence if committed by an adult, basic identification information, as defined in state law, along with the details of the alleged delinquent act or offense, is required by law to be provided immediately to the school district in which the juvenile is enrolled.

The information shall be used by the Board of Education to determine whether the student has exhibited behavior that is detrimental to the safety, welfare, and morals of the other students or school personnel and whether educating the student in the school may disrupt the learning environment in the school, provide a negative example for other students, or create a dangerous and unsafe environment for students, teachers, and other school personnel. The Board shall take appropriate disciplinary action, which may include suspension or expulsion, in accordance with the student code of conduct and related policies.

(October 2001)
(Revised October 2015)

Student Health Information

Immunization of Students (JLCB)

The Board directs the superintendent or designee(s) to annually provide parents/guardians of each student enrolled in the district a copy of the standardized immunization document developed by the Colorado Department of Public Health and Environment. The standardized immunization document includes a list of required and recommended immunizations and the age at which each immunization should be given.

No student is permitted to attend or continue to attend any school in this district without meeting the legal requirements of immunization against disease unless the student has a valid exemption for health, religious, personal or other reasons as provided by law.

Students who do not submit an up-to-date certificate of immunization or a written authorization signed by one parent/guardian requesting local health officials to administer the immunizations or a valid exemption will be suspended and/or expelled from school according to this policy's accompanying regulation.

All information distributed to parents/guardians by the district will inform them of their rights to seek an exemption for immunization requirements.

(September 1997)
(Revised May 2018)

Immunization of Students (JLCB-R)

1. No student may attend school in the district unless the student has presented to the school an up-to-date certificate of immunization or a completed exemption form.
2. A student shall be exempted only upon submission of:
 - a. certification from a licensed physician that the student's physical condition is such that immunization would endanger the student's life or health or is otherwise medically contraindicated due to other medical conditions.
 - b. statement signed by the parent/guardian or the emancipated student that the student adheres to a religious belief whose teachings are opposed to immunizations
 - c. statement signed by the parent/guardian or the emancipated student that the student holds a personal belief that is opposed to immunizations

In the event of an outbreak of disease against which immunization is required, no exemption will be recognized and those students will be excluded from school.

3. Parents/guardians or emancipated students who assert an exemption from immunizations based on a religious or personal belief (“non-medical exemption”) shall submit the required exemption form to the school on an annual basis. Such submission shall occur at the beginning of each school year that the non-medical exemption is asserted.
4. Parents/guardians or emancipated students who assert an exemption from immunizations based on a medical reason shall submit the required medical exemption form to the school one time. The medical exemption form shall be maintained on file at each new school the student attends.
5. The district will provide upon request an immunization reporting form. The district nurse is responsible for seeing that required information is included on the form and transferred to an official certificate of immunization as required.
6. If there is failure to comply with the immunization requirements, the district nurse will personally notify the parent/guardian or emancipated student. Such notification will be accomplished either by telephone or in person. If this is not possible, contact will be by mail. Emancipated students must be contacted directly rather than through their parents/guardians.

The parent/guardian or emancipated student will be notified of the following:

- a. that up-to-date immunizations are required under Colorado law
 - b. that within fourteen (14) days of notification, the parent/guardian must submit either an authorization for administration of the immunization by health officials or a valid exemption or documentation to the school showing that the next required immunizations has been given and a written plan for completion of all required immunizations.
 - c. that if the required documentation is not submitted within fourteen (14) days of notification or if the student begins but does not continue or complete the written plan, the student will be suspended or expelled.
7. A student who fails to comply will be suspended by the principal for up to five days and notice of the suspension sent to the Health Department, in accordance with applicable law.
 8. If no certificate of immunization is received during the period of suspension, the superintendent will institute proceedings for expulsion.
 9. Any suspension or expulsion under this policy will terminate automatically upon compliance.
 10. Record of any such suspension or expulsion will be contained in the student’s health file, with an appropriate explanation — not in the student’s disciplinary file.

Any student expelled for failure to comply with the immunization requirements will not be included in calculating the dropout rate, but will be included in the annual report to the State Board of Education.

Students in Out-of-Home Placements

The following procedure shall apply to students in out-of-home placements, as that term is defined by C.R.S. 22-32-138 (1)(e).

Unless the district or school is otherwise authorized to deny enrollment to a student in out-of-home placement, the district or school shall enroll the student regardless of whether the district or school has received the student’s immunization records.

Upon enrolling the student, the school shall notify the student's legal guardian that unless the school receives the student's certificate of immunization or a written authorization for administration of immunizations with fourteen (14) days after the student enrolls, the school shall suspend the student until such time as the school receives the certificate of immunization or authorization.

(November 1996)
(Revised April 2017)

CDPHE Letter to Parents and Chart



COLORADO
Department of Public
Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

K - 12th Grade School Required Immunizations - 2018-19 School Year

Dear parents and guardians of students in Colorado kindergarten - 12th grade schools:

- Colorado law requires students who attend a public, private or parochial kindergarten - 12th grade school to be vaccinated against many of the diseases vaccines can prevent. Your student must be vaccinated against:
 - diphtheria, tetanus & pertussis (DTaP, DTP, Tdap)
 - polio (IPV)
 - measles, mumps, rubella (MMR)
 - hepatitis B (HepB)
 - varicella (chickenpox)

Vaccines are recommended for hepatitis A, influenza, meningococcal disease and human papillomavirus, but are not required.

- Colorado rule requires students entering kindergarten to receive their final doses of DTaP, IPV, MMR and varicella. Students must receive one dose of Tdap vaccine for 6th grade entry, even if they are under 11 years of age.
- The number, timing and spacing of the required vaccine doses is set by the Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices (ACIP). You can view parent-friendly versions of the current ACIP vaccine schedules for children 0 - 6 years of age at www.cdc.gov/vaccines/parents/downloads/parent-ver-sch-0-6yrs.pdf and preteens/teens 7 - 18 years of age at www.cdc.gov/vaccines/who/teens/downloads/parent-version-schedule-7-18yrs.pdf.
- Please take your student's updated vaccine record to school every time he or she receives a vaccine.
- If your student cannot get vaccines because of medical reasons, you must submit an official *Immunization Medical Exemption Form* to your school, signed by a health care provider licensed to give vaccines. You can get the form at www.colorado.gov/vaccineexemption.
- If you choose not to get your student vaccinated according to the current ACIP schedule for religious or personal belief reasons, you must submit a non-medical exemption to your school. Non-medical exemptions must be submitted every year. You can either submit the state health department's non-medical form (online or paper copy) for inclusion in the Colorado Immunization Information System (CIIS), provide a paper copy of the state health department's non-medical exemption form to your student's school, or submit a signed non-medical statement of exemption to your student's school. Such a statement should include the following information: student's full name, age or date of birth, date the exemption was submitted, the vaccines declined, and which type of non-medical exemption is being taken (personal belief or religious). If you choose to include your student's information in CIIS, you may opt your student out of CIIS at any time. Your student's school may ask you to also provide them with a paper copy of the non-medical exemption if you submit online. You can get online and downloadable versions of the state health department's non-medical exemption form at www.colorado.gov/vaccineexemption.
- Some parents, especially those with students who have weakened immune systems, may want to know which schools have the highest percentage of vaccinated children. Schools must report vaccination and exemption numbers (but not student names or birth dates) to the state health department by December 1 every year. Vaccination and exemption rates will be posted on the state health department website in Spring 2018.
- You may want to talk to a health care provider licensed to give vaccines or a local public health agency (LPHA) about which vaccines your student needs or if you have questions. You can read about the safety and importance of vaccines at www.immunizeforgood.com and www.colorado.gov/cdphe/immunization-education.
- If you need help finding a health care provider, or finding free or low-cost vaccines, contact your LPHA, or call the state health department's Family Health Line at 1-303-692-2229 or 1-800-688-7777. You can find your LPHA at www.colorado.gov/pacific/cdphe/find-your-local-public-health-agency.
- Please share Page 2 of this letter with your student's health care provider as it provides helpful information about vaccines required for school entry per Colorado law.

Sincerely,

Colorado Immunization Branch | Colorado Department of Public Health & Environment
303-692-2700 | cdphe.dcdimmunization@state.co.us

December 2017

**KINDERGARTEN THROUGH 12TH GRADE IMMUNIZATION CHART
REQUIRED VACCINES FOR SCHOOL ATTENDANCE 2018-19**

VACCINE	Number of Doses	Grades K-12 (4-18 Years of Age)
Diphtheria/Tetanus/ Pertussis (DTaP) <i>Only licensed through 6 yrs of age.</i>	4 to 5	5 DTaP unless dose 4 given is given on or after the 4 th b-day. Final dose of DTaP given no sooner than 4 years of age.
Tetanus/Diphtheria/ Pertussis <i>For students 7 years of age or older who did not have a full series of DTaP.</i>	3 or 4	3 doses tetanus/diphtheria containing vaccines (DTaP, DT, Td, Tdap) is required, or 4 doses required if 1 st dose of DTaP is given before 1 year of age. 1 dose of Tdap given if DTaP series not completed and student is at least 7 yrs of age. Tdap is required at 6th grade entry through 12th grade.
Polio (IPV) <i>With combination of OPV & IPV, need series of 4 doses</i>	3 to 4	4 IPV unless 3 rd dose is given on or after 4 th birthday. Students who were compliant with 3 or 4 doses (4 weeks minimum intervals between doses) prior to August 7, 2009 have met the requirement.
Measles/Mumps/Rubella (MMR) <i>There must be at least a 28 day interval between 2 live vaccines.</i>	2	The 1 st dose is not valid if administered more than 4 days before the 1 st birthday. 2 doses are required for students entering Kindergarten & through 12 th grade.
Varicella (Chickenpox) <i>There must be at least a 28 day interval between 2 live vaccines.</i>	2	The 1 st dose is not valid if administered more than 4 days before the 1 st birthday. 2 doses are required for students entering Kindergarten & through 12 th grade. <i>Note: no vaccine required if there is laboratory documentation of chickenpox disease or a disease screening performed by a health care provider.</i>
Hepatitis B <i>Dosing must follow minimum intervals between doses and last dose must be administered at or over 24 wks of age.</i>	3	The 2 nd dose administered at least 4 weeks after the first dose. The 3 rd dose must be administered at least 16 weeks after the 1 st dose, at least 8 weeks after the 2 nd dose, and the final dose must be administered no sooner than 24 weeks of age. <i>Note: there is a specific 2-dose series is for ages 11-15 years only using adult vaccine.</i>

**RECOMMENDED VACCINES FOR THE BEST PROTECTION AGAINST
VACCINE-PREVENTABLE DISEASE**

VACCINE	Number of Doses	Grades K-12 (4-18 Years of Age)
Influenza (Flu)	1 to 2	2 doses initially if under 9 yrs of age with a minimum interval of 28 days between doses, then 1 dose annually, thereafter. (Recommended for all children 6 months of age and older).
Meningococcal Meningitis	2 doses Series	Adolescents 11-18 years of age (11-12, 16-18) Adolescents 16-18 years of age
Human Papillomavirus (9vHPV)	2 to 3	Adolescents 11-18 years of age Series initiation age 9-14 - two doses 6-12 mo apart Series initiation 15+ - three doses 0, 1-2 and 6 mo
Hepatitis A (Hep A)	2	All children 1 year of age and older

Immunization requirements are strictly enforced for all students. Students who do not meet the requirements will be denied attendance according to Section 25-4-902, C.R.S. There are three ways to be in compliance with the school immunization law:

1. Student's immunization record shows they are fully immunized with required vaccines. A laboratory report for some vaccines or diseases showing immunity is also acceptable.
2. For the student who is not up to date on required vaccines, the school will notify the parent/guardian that the student has 14 days to receive the required vaccine(s) or to make an appointment to receive the required vaccine(s). Parents are to provide a written plan for the remaining vaccines following the minimum intervals of the Advisory Committee on Immunization Practices (ACIP) schedule. If the plan is not followed, the student shall be excluded from school for non-compliance.
3. Submission of a Medical Exemption form signed by a health care provider or a Non-Medical exemption (religious or personal) submitted by a parent/guardian or emancipated student go to www.colorado.gov/vaccinexemption.

Last Reviewed January 2018



Administering Medications to Students (JLCD)

School personnel shall not administer prescription or nonprescription medications to students unless appropriate administration cannot reasonably be accomplished outside of school hours and the student's parent/guardian is not available to administer the medication during the school day.

Medication may be administered to students by school personnel whom a registered nurse has trained and delegated the task of administering such medication. For purposes of this policy, the term "medication" includes both prescription medication and nonprescription medication, but does not include medical marijuana.

The administration of medical marijuana shall be in accordance with state law regarding the administration of medical marijuana to qualified students.

The term "nonprescription medication" includes but is not limited to over-the-counter medications, homeopathic and herbal medications, vitamins and nutritional supplements.

Medication may be administered to students by the school nurse or other school designee only when the following requirements are met:

1. Medication shall be in the original properly labeled container. If it is a prescription medicine, the student's name, name of the medication, dosage, how often it is to be administered, and name of the prescribing health care practitioner shall be printed on the container.
2. The school shall have received written permission to administer the medication from the student's health care practitioner with prescriptive authority under Colorado law.
3. The school shall have received written permission from the student's parent/guardian to

administer the medication to the student. The parent/guardian shall be responsible for providing all medication to be administered to the student.

All medication shall be safeguarded at school to avoid any risk that it may be improperly administered to anyone.

Self-administration of Medication for Asthma, Allergies or Anaphylaxis

A student with asthma, a food allergy, other severe allergies, or a related, life-threatening condition may possess and self-administer medication to treat the student's asthma, food or other allergy, anaphylaxis or related life-threatening condition.

Self-administration of such medication may occur during school hours, at school-sponsored activities, or while in transit to and from school or a school-sponsored activity. Student possession and self-administration of such medication shall be in accordance with regulation JLCD-R.

Authorization for a student to possess and self-administer medication to treat the student's asthma, food or other allergy, anaphylaxis or other related, life-threatening condition may be limited or revoked by the school principal after consultation with the school nurse and the student's parents/guardian if the student demonstrates an inability to responsibly possess and self-administer such medication.

Student possession, use, distribution, sale or being under the influence of medication inconsistent with this policy shall be considered a violation of Board policy concerning drug and alcohol involvement by students and may subject the student to disciplinary consequences, including suspension and/or expulsion, in accordance with applicable Board policy.

(November 1996)
(Revised April 2017)

Administering Medications to Students (JLCD-R)

If under exceptional circumstances a student is required to take medication during school hours, only the school nurse or the nurse's designee will administer the medication in compliance with the following regulation. In the alternative, the parent/guardian may come to school to administer the medication.

1. All directives of the accompanying policy will be followed.
2. Written orders from the student's health care practitioner with prescriptive authority under Colorado law shall be on file in the school stating:
 - a. Student's name
 - b. Name of medication
 - c. Dosage
 - d. Purpose of the medication
 - e. Time of day medication is to be given
 - f. Anticipated number of days it needs to be given in school
 - g. Possible side effects
3. The medication must be brought to school in a container appropriately labeled by the pharmacy or health care practitioner.
4. An individual record shall be kept of such prescription medications administered by school personnel.
5. Medication shall be stored in a clean, locked cabinet or container. Emergency medications (such as epinephrine) shall be inaccessible to students, but immediately available to trained school personnel and not in a locked cabinet.

Unless these requirements are met, medication will not be administered to students at school.

Self-administration of Medication for Asthma, Allergies or Anaphylaxis

A school shall permit a student to possess and self-administer medication, such as an inhaler or epinephrine, if all of the following conditions are met:

1. Written authorization signed by the student's health care practitioner must be on file with the school which shall include the student's name; the name, purpose, prescribed dosage, frequency, and length of time between dosages of the medication(s) to be self-administered; and confirmation that the student has been instructed and is capable of self-administration of the medication.

2. The school nurse or school administrator, in consultation with the school nurse, the student's health care practitioner, and the student's parent/guardian collaborate to make an assessment of the student's knowledge of his or her condition and ability to self-administer medication.
3. A written statement signed by the student's parent/guardian must be on file with the school, which shall include permission for the student to self-administer his/her medication and a release from liability for any injury arising from the student's self-administration of such medication.
4. A written contract and permission to carry form between the school nurse, school administrator, the student, and the student's parent/guardian must be on file with the school, assigning levels of responsibility to the student's parent/guardian, student, and school employees.

A treatment plan authorizing a student to possess and self-administer medication for asthma or anaphylaxis shall be effective only for the school year in which it is approved.

A student shall report to the school nurse or designee or to some adult at the school immediately after the student uses an epinephrine auto-injector during school hours. Upon receiving such report from a student, the school nurse, designee, or other adult will provide appropriate follow-up care to the student, which shall include making a 911 emergency call.

(November 1996)
(Revised April 2017)

Students with Food and Other Severe Allergies (JLCDA)

The Board recognizes that many students are being diagnosed with potentially life-threatening food allergies. To address this issue and meet state law requirements concerning the management of food allergies and anaphylaxis among students, the Board sets forth the following requirements.

Health Care Plan

The school nurse, or a school administrator in consultation with the school nurse, shall develop and implement a health care plan (plan) for each student with a diagnosis of a potentially life-threatening food allergy. The plan shall address communication between the school and emergency medical services, including instructions for emergency medical responders. If a student qualifies as a student with a disability in accordance with federal law, the student's Section 504 plan, Individualized Education Program (IEP), and/or other plan developed in accordance with applicable federal law shall meet this requirement.

Reasonable Accommodations

Reasonable accommodations shall be made to reduce the student's exposure to agents that may cause anaphylaxis within the school environment. If a student qualifies as a student with a disability in accordance with federal law, the student's Section 504 plan, Individualized

Education Program (IEP), and/or other plan developed in accordance with applicable federal law shall meet this requirement.

Access to Emergency Medications

Emergency medications for treatment of the student’s food allergies or anaphylaxis shall be kept in a secure location accessible to designated school staff. Whenever possible and in a timely fashion, the student’s parent/legal guardian shall supply the school with the medication needed for treatment of the student’s food allergies or anaphylaxis, unless the student is authorized to self-carry such medication in accordance with Board policy.

Staff training

The principal or equivalent school administrator, in consultation with the school nurse, shall determine the appropriate recipients of emergency anaphylaxis treatment training, which shall include those staff directly involved with a student who has a known food allergy during the school day. At a minimum, the training shall prepare staff to have a basic understanding of food allergies and the importance of reasonable avoidance of agents that may cause anaphylaxis, the ability to recognize symptoms of anaphylaxis, and the ability to respond appropriately when a student suffers an anaphylactic reaction. The training shall also include instruction in the administration of self-injectable epinephrine.

(May 2010)
(Revised April 2017)



BE AWARE OF SEVERE FOOD ALLERGIES!



We want all parents to be aware that some children in our school have severe, life-threatening food allergies to peanuts/tree nuts. This is a medical condition called anaphylaxis that causes a severe reaction to specific foods and can result in death within minutes. We are requesting the entire school use caution and consideration when choosing snacks that will be consumed outside of the school cafeteria (i.e. at recess, in the classrooms, during parties and other school activities, etc.) and be selective when sending snacks to school with your child – PLEASE RECOGNIZE SOME FOOD PRESENTS FATAL RISK TO STUDENTS WITH SEVERE FOOD ALLERGIES! Please read all food and snack labels!

Foods brought into a classroom for snacks, parties, or other activities (including school parties and birthday treats), and which may present a serious risk to students with severe food allergies include:

- Tree nuts such as cashews, pecans, walnuts, pistachios, almonds, etc. and food products that contain these ingredients. Please read the labels!
- Peanut and products that contains peanuts such as granola bars with nuts, crackers with peanut butter filling, cookies with nuts or peanut butter filling.

Suggested Safe Foods

- Anything that doesn't contain tree nuts or peanuts
- Cheese, vegetables, fruits, chips, sweets, cakes, cookies or brownies (that contain no nuts), pretzels, popsicles, yogurt, Lunchables, and crackers, are also a few acceptable alternatives.

When in doubt, please read the ingredients on the label! The label will usually indicate if the product contains nuts or nut products.

PLEASE NOTE: Your child may bring peanut and other tree nut containing foods to be eaten at lunch in the cafeteria. If a child at our school is identified with a severe food allergy we will provide a controlled environment with a 'peanut free table' in the cafeteria at lunchtime to prevent accidental exposure. We're asking that parents use discretion and consideration for students with potentially fatal severe food allergies when sending your student with snacks and/or food for parties and activities.

If you have any questions, please contact our school health technician using the school/district contact information listed in this handbook.

Thank you for your attention to this important health request!



Medicaid Reimbursement (JLCG)

In all cases in which a student is enrolled in the Colorado Medicaid program, the district shall seek reimbursement for health-related services rendered by qualified district staff. District staff shall make a reasonable effort to coordinate care with the student's health care provider to avoid duplication of services.

As a Medicaid provider, the district shall access Medicaid eligibility information for students from Health Care Policy and Financing ("HCPF"). HCPF is the designated Medicaid agency for the state of Colorado.

The district shall obtain written consent annually from a parent/guardian before release of any non-directory information required for billing. To accomplish this, the district shall:

- include a consent form with IEP packet materials.

All ongoing health and related services shall be rendered by qualified district staff pursuant to an individual health services plan signed by a professional qualified to provide the types of services described in the plan. The plan may be an Individual Education Plan (IEP), Individual Family Service Plan (IFSP), Section 504 Accommodation Plan or any individual health services plan.

A dated record of all transactions shall be kept on file at the school office.

(October 2001)

(Revised February 2010)

Additional Policies

Concurrent Enrollment (IHEDA)

The Board believes that students who wish to pursue postsecondary level work while in high school should be permitted to do so. In accordance with this policy and accompanying regulation, high school students may receive course credit toward the fulfillment of high school graduation requirements for successful completion of approved postsecondary courses offered by institutions of higher education.

This policy and accompanying regulation do not apply to students seeking to enroll in postsecondary courses pursuant to the Accelerating Students Through Concurrent Enrollment (ASCENT) program or a “dropout recovery program” pursuant to the Concurrent Enrollment Programs Act (the Act). Students seeking to enroll in the ASCENT program or a dropout recovery program shall work with district administrators and meet the Act’s applicable requirements.

Definitions

For purposes of this policy and accompanying regulation, the following definitions shall apply.

“Concurrent enrollment” means the simultaneous enrollment of a qualified student in a district high school and in one or more postsecondary courses at an institution of higher education.

“Qualified student” means a person who is less than 21 years of age and is enrolled in the 9-12 grade or higher-grade level.

“Postsecondary course” means a course offered by an institution of higher education and includes coursework resulting in the acquisition of a certificate; an associate degree of applied sciences, general studies, arts, or science; and all baccalaureate degree programs.

“Institution of higher education” means:

- a. A state university or college, community college, junior college, or area vocational school as described in title 23, C.R.S.;
- b. A postsecondary career and technical education program that offers postsecondary courses and is approved by the state board for community colleges and occupational education pursuant to applicable state law; and
- c. An educational institution operating in Colorado that meets the Act’s specified criteria.

Eligibility

Qualified students seeking to enroll in postsecondary courses at the district’s expense and receive high school credit for such courses shall follow the procedure accompanying this policy.

Academic Credit

Academic credit granted for postsecondary courses successfully completed by a qualified student shall count as high school credit toward the Board's graduation requirements, unless such credit is denied.

High school credit shall be denied for postsecondary courses that do not meet or exceed the district's academic standards. High school credit shall also be denied for a postsecondary course substantially similar to a course offered by the district, unless the qualified student's enrollment in the postsecondary course is approved due to a scheduling conflict or other reason deemed legitimate by the district. Concurrent enrollment is not available for summer school.

Agreement with Institution of Higher Education

When a qualified student seeks to enroll in postsecondary courses at an institution of higher education and receive high school credit for such courses, the district and the participating institution shall enter into a written cooperative agreement in accordance with the Act.

Payment of Tuition

The district shall pay the tuition for up to two (2) postsecondary courses successfully completed by a qualified student per year and for which the qualified student receives high school credit. If a student elects to take a vocational course that exceeds \$1,000 in tuition, the district will only pay tuition for one course. Students in the 9th and 10th grade must pay their own tuition.

The tuition paid by the district for the qualified student's successful completion of an approved postsecondary course shall be in accordance with the Act and the district's cooperative agreement with the institution of higher education. The institution of higher education may charge additional tuition and/or associated fees to the qualified student or the student's parent/guardian in addition to the tuition paid by the district.

Prior to paying the tuition for any qualified student, the district shall require the student and student's parent/guardian to sign an agreement stating if the student fails or otherwise does not complete the postsecondary course for any reason without consent of the principal of the high school in which the student is enrolled, the student and/or the student's parent/guardian shall repay the amount of tuition paid by the district on the student's behalf.

Transportation Costs

The district shall not provide or pay for the qualified student's transportation to the institution of higher education.

Notice

Information about the concurrent enrollment options shall be made available to all high school students and to their parents/guardians on an annual basis.

(December 1996)
(Revised March 2018)

Post-Secondary Options/Concurrent Enrollment (IHCD-R)

Academic Plan of Study

The qualified student shall establish, in consultation with the high school counselor, an academic plan of study that describes all of the courses (including postsecondary courses) the student intends to complete to satisfy the Board's high school graduation requirements. Prior to the qualified student's enrollment in a postsecondary course, the high school counselor shall review and approve the student's academic plan of study in accordance with applicable State Board of Education rules.

Eligibility

Only students with a 3.0 GPA or higher are eligible to take up to two (2) concurrent enrollment courses at the district's expense. Career/Technical Education courses will follow the GPA requirements of each postsecondary institution. GPA is calculated at the end of the previous year. Students must maintain a 3.0 GPA or higher while completing the postsecondary course(s). Students enrolling in vocational/technical courses must have a 2.5 GPA or higher.

Application

The qualified student shall complete the district's concurrent enrollment application form and submit it to the guidance office at least 60 days prior to the end of the academic term immediately preceding the term of the student's proposed enrollment in a postsecondary course. The requested postsecondary course(s) on the student's application shall be consistent with the student's approved academic plan of study. The 60-day requirement is waived for new students.

The principal or designee shall approve or disapprove the student's application in accordance with this regulation's accompanying policy and the priority requirements of the Concurrent Enrollment Programs Act. The high school counselor shall notify the student of the decision, which shall be final.

(December 1996)
(Revised March 2018)

Grading/Assessment Systems (IKA)

The Board believes that students will respond more positively to the opportunity for success than to the threat of failure. The district shall seek, therefore, in its instructional program to make achievement both recognizable and possible for students. It shall emphasize achievement in its processes of evaluating student performance.

State Assessment System

State and federal law require district students to take standardized assessments in the instructional areas of English language arts, math, and science. State law also requires

students to take standardized assessments in the instructional area of social studies once every three years. Accordingly, the district shall administer standardized assessments pursuant to these state and federal legal requirements.

State law also requires the district to adopt policies and/or procedures concerning the use of pencil and paper on the computerized portion of state assessments; parent requests to excuse their children from taking state assessments; and the district's assessment calendar. This policy and its accompanying regulation represent the district's processes to address these requirements.

1. Pencil and Paper testing option

The district may determine that a specific classroom or school within the district will use pencil and paper to complete the computerized portions of a state assessment. Factors that will be considered in making this determination include:

- The technological capacity and resources of the particular school/classroom;
- Students' previous experience with computerized and written assessments;
- Whether the instructional methodology of the particular school/classroom is consistent with the use of computerized assessments or written assessments; and
- The logistics of administering the state assessment in different formats at a particular school or schools

Prior to making this determination, the superintendent or designee shall consult with the school principal(s) affected by this determination as well as parents/guardians of students enrolled in the district.

For students with disabilities, the use of pencil and paper instead of a computer to complete a state assessment shall be determined by the student's Individualized Education Program (IEP) team or Section 504 team, in accordance with applicable law.

2. Parent/guardian request for exemption

A parent/guardian who wishes to exempt his or her child from a particular state assessment or assessments shall make this request in accordance with this policy's accompanying regulation.

In accordance with state law, the district shall not impose a negative consequence upon a student whose parent/guardian has requested an exemption from a state assessment or assessments.

This policy's exemption process shall apply only to state assessments administered pursuant to C.R.S. 22-7-1006.3 and shall not apply to district or classroom assessments.

3. Sharing of Student State Assessment Results with Parents/guardians

The Colorado Department of Education is required to provide diagnostic academic growth information for each student enrolled in the district and for each public school in the district based on the state assessment results for the preceding school years. Appropriate school personnel, including those who work directly with the student, shall have access to the student's state assessment results and longitudinal academic growth information and shall share with and explain that information to the student's parent/guardian.

District Assessment System

In addition to the state assessment system, the district has developed a comprehensive assessment system that:

- Challenges students to think critically, apply what they have learned and gives them the opportunities to demonstrate their skills and knowledge;
- Includes “early warning” features that allow problems to be diagnosed promptly to let students, teachers, and parents/guardians know that extra effort is necessary;
- Provides reliable and valid information on student and school performance to educators, parents/guardians and employers; and
- Provides timely and useful data for instructional improvement and improved student learning, including feedback useful in determining whether the curriculum is aligned with the district’s academic standards.

In accordance with applicable law, the district’s assessment system shall accommodate students with disabilities and English language learners.

The district’s assessment results, in combination with state assessment results, will be used as the measurement of student achievement. It is believed these results will provide reliable and valid information about student progress on the district’s academic standards.

Additional Assessment Information for Parents/guardians

In accordance with state law and this policy’s accompanying regulation, the district shall distribute an assessment calendar and related information to parents/guardians on an annual basis to inform them about the state and district assessments that the district plans to administer during the school year.

Classroom Assessment System

Classroom assessment practices shall be aligned with the district’s academic standards and assessment program. Assessment is an integral part of the teaching and learning process that should occur continuously in the classroom. The primary purpose of classroom assessment shall be to enable teachers to make instructional decisions for students on a continual basis.

Students are encouraged to engage in informal self-assessments as they study and attempt to solve problems, monitor their own progress and improve their learning.

Grading System

The administration and professional staff shall devise a grading system for evaluating and recording student progress and to measure student performance in conjunction with the districts academic standards. The records and reports of individual students shall be kept in a form meaningful to parents/guardians as well as teachers. The grading system shall be uniform district wide at comparable grade levels. Peer grading of student assignments and classroom assessments is permissible. The intent of this practice is to teach material again in a new context and to show students how to assist and respect fellow pupils.

The Board shall approve the grading, reporting and assessment systems as developed by professional staff, upon recommendation of the superintendent.

The Board recognizes that classroom grading and/or assessment systems, however effective, are subjective in nature but urges all professional staff members to conduct student evaluations as objectively as possible.

(January 1995)
(Revised April 2018)

Compulsory Attendance Ages (JEA)

Every child who has attained the age of six years on or before August 1 of each year and is under the age of 17 is required to attend public school with such exceptions as provided by law. It is the parents' responsibility to ensure attendance.

The courts may issue orders against the child, child's parent, or both compelling the child to attend school or the parent to take reasonable steps to assure the child's attendance. The order may require the parent, child or both to follow an appropriate treatment plan that addresses problems affecting the child's school attendance and that ensures an opportunity for the child to obtain a quality education.

(January 1995)
(Revised October 2015)

Parking Lot Searches (JIHB)

The privilege of bringing a student-operated motor vehicle on to school premises is conditioned on consent by the student driver to allow search of the vehicle when there is reasonable suspicion that the search will yield evidence of contraband.

Refusal by a student, parent/guardian, or owner of the vehicle to allow access to a motor vehicle on school premises at the time of a request to search the vehicle shall be cause for termination without further hearing of the privilege of bringing the vehicle on to school premises. Refusal to submit to search also may result in disciplinary action and notification of law enforcement officials.

Routine patrolling of student parking lots and inspection of the outside of student automobiles shall be permitted at all times.

(December 2000)
(Revised January 2013)

Visitors to Schools (KI)

The Board encourages parents/guardians and other citizens of the district to visit classrooms, activities and functions at any time to observe the work of the schools. The Board believes that here is no better way for the public to learn what the schools actually are doing.

In order to ensure that no unauthorized persons enter buildings with wrongful intent, all visitors to the schools shall report to the school office when entering, show proper identification and reason for being at the school. Visitors shall wear nametags which identify them as visitors.

Unauthorized persons shall not loiter on school property at any time. Law enforcement authorities may be called to enforce this policy provision.

To promote the general health, welfare and well-being of all who enter school property, and pursuant to state law, smoking, chewing or any use of tobacco products by staff, students, or visitors is prohibited on all school property.

The district shall notify the public in an appropriate manner that persons violating the criminal law by using, selling or distributing any controlled substance on school grounds, on school buses transporting students or within 1,000 feet of the perimeter of the school grounds shall be subject to enhanced criminal penalties.

Visiting schools is a privilege, not a right, which may be limited, denied or revoked by a school administrator or designee based on considerations of student and/or staff safety, efficient school operations, maintenance of proper educational environment, or failure to comply with this policy.

(January 1995)
(Revised September 2012)

Student Use of Internet and Electronic Communication (JS)

The Internet and electronic communications (e-mail, chat rooms and other forms of electronic communication) have vast potential to support curriculum and student learning. The Board of Education believes they should be used in schools as a learning resource to educate and to inform.

Use of the Internet and electronic communications require students to think critically, analyze information, write clearly, use problem-solving skills, and hone computer and research skills that employers demand. Use of these tools also encourages an attitude of lifelong learning and offers an opportunity for students to participate in distance learning activities, ask questions of and consult with experts, communicate with other students and individuals, and locate material to meet educational and personal information needs.

The Internet and electronic communications are fluid environments in which students may access materials and information from many sources, including some that may be harmful to students. While it is impossible to predict with certainty what information students might locate or come into contact with, the district shall take reasonable steps to protect students from accessing material and information that is obscene, child pornography or otherwise harmful to minors, as defined by the Board. Students shall take responsibility for their own use of district technology devices and to avoid contact with material or information that may be harmful to minors. For purposes of this policy, "district technology device" means any district-owned computer, hardware, software, or other technology that is used for learning purposes and has access to the Internet.

Blocking or Filtering Obscene, Pornographic and Harmful Information

Technology that blocks or filters material and information that is obscene, child pornography or otherwise harmful to minors, as defined by the Board, shall be installed on all district computers having Internet or electronic communications access. Students shall report access to material and information that is inappropriate, offensive or otherwise in violation of this policy to the supervising staff member. If a student becomes aware of other students accessing such material or information, he or she shall report it to the supervising staff member.

No Expectation of Privacy

District technology devices are owned by the district and are intended for educational purposes at all times. Students shall have no expectation of privacy when using the district technology devices. The district reserves the right to monitor, inspect, copy, review and store (at any time and without prior notice) all usage of district technology devices, including all Internet and electronic communications access and transmission/receipt of materials and information. All materials and information accessed/received through technology devices shall remain the property of the school district.

Unauthorized and Unacceptable Uses

Students shall use district technology devices in a responsible, efficient, ethical and legal manner.

Because technology and ways of using technology are constantly evolving, every unacceptable use of district technology devices cannot be specifically described in policy. Therefore, examples of unacceptable uses include, but are not limited to the following.

No student shall access, create, transmit, retransmit or forward materials or information:

- that promotes violence or advocates destruction of property including, but not limited to, access to information concerning the manufacturing or purchasing of destructive devices or weapons
- that is not related to district education objectives
- that contains pornographic, obscene or other sexually oriented materials, either as pictures or writings, that are intended to stimulate erotic feelings or appeal to prurient interests in nudity, sex or excretion
- that harasses, threatens, demeans, or promotes violence or hatred against another person or group of persons in violation of the district's nondiscrimination policies
- for personal profit, financial gain, advertising, commercial transaction or political purposes
- that plagiarizes the work of another

- that uses inappropriate or profane language likely to be offensive to others in the school community
- that is knowingly false or could be construed as intending to purposely damage another person's reputation
- in violation of any federal or state law or district policy, including but not limited to copyrighted material and material protected by trade secret
- that contains personal information about themselves or others, including information protected by confidentiality laws
- using another individual's Internet or electronic communications account without written permission from that individual
- that impersonates another or transmits through an anonymous remailer
- that accesses fee services without specific permission from the system administrator

Security

Security on district technology devices is a high priority. Students who identify a security problem while using district technology devices must immediately notify a system administrator. Students should not demonstrate the problem to other users. Logging on to the Internet or electronic communications as a system administrator is prohibited.

Students shall not:

- use another person's password or any other identifier
- gain or attempt to gain unauthorized access to district technology devices
- read, alter, delete or copy, or attempt to do so, electronic communications of other system users

Any user identified as a security risk, or as having a history of problems with other computer systems, may be denied access to the Internet and electronic communications and/or district technology devices.

Safety

In the interest of student safety and security, the district shall educate students about appropriate online behavior, including cyberbullying awareness and response; and interacting on social networking sites, in chat rooms, and other forms of direct electronic communications.

Students shall not reveal personal information, such as home address or phone number, while using the Internet or electronic communications. Without first obtaining permission of the supervising staff member, students shall not use their last name or any other information that might allow another person to locate him or her. Students shall not arrange face-to-face meetings with persons met on the Internet or through electronic communications.

Vandalism

Vandalism will result in cancellation of privileges and may result in legal action and/or disciplinary action, including suspension, expulsion in accordance with Board policy concerning suspension, expulsion and other disciplinary interventions. Vandalism is defined as any malicious or intentional attempt to harm, destroy, modify, abuse or disrupt operation of any network within the school district or any network connected to the Internet, operation of any form of electronic communications, the data contained on any network or electronic communications, the data of another user, usage by another user or district technology device.

This includes, but is not limited to, the uploading or creation of computer viruses and the use of encryption software.

Unauthorized Content

Students are prohibited from using or possessing any software applications, mobile apps or other content that has been downloaded or is otherwise in the user's possession without appropriate registration any payment of any fees.

Assigning Student Projects and Monitoring Student Use

The district will make reasonable efforts to see that the Internet and electronic communications are used responsibly by students. Administrators, teachers and staff have a professional responsibility to work together to monitor students' use of the Internet and electronic communications, help students develop the intellectual skills needed to discriminate among information sources, to identify information appropriate to their age and developmental levels, and to evaluate and use information to meet their educational goals.

Students shall have specifically defined objectives and search strategies prior to accessing material and information on the Internet and through electronic communications.

Opportunities shall be made available on a regular basis for parents to observe student use of the Internet and electronic communications in schools.

All student shall be supervised by staff while using the Internet or electronic communications at a ratio of at least one staff member to each 25 students. Staff members assigned to supervise student use shall have received training in Internet and electronic communications safety and monitoring student use.

Student Use is a Privilege

Use of the Internet and electronic communications demands personal responsibility and an understanding of the acceptable and unacceptable uses of such tools. Student use of the Internet and electronic communications and district technology devices is a privilege, not a right. Failure to follow the use procedures contained in this policy shall result in the loss of the privilege to use these tools and restitution for costs associated with damages, and may result in legal action and/or disciplinary action, including suspension and/or expulsion, in accordance with Board policy concerning suspension, expulsion and other disciplinary interventions. The school district may deny, revoke or suspend access to district technology or close accounts at any time.

Students and parents/guardians shall be required to sign the district's Acceptable Use Agreement annually before Internet or electronic communications accounts shall be issued or access shall be allowed.

School District Makes no Warranties

The school district makes no warranties of any kind, whether express or implied, related to the use of district technology devices, including access to the Internet and electronic communications services. Providing access to these services does not imply endorsement by the district of the content, nor does the district make any guarantee as to the accuracy or quality of information received. The district shall not be responsible for any damages, losses

or costs a student suffers in using the Internet and electronic communications. This includes loss of data and service interruptions. Use of any information obtained via the Internet and electronic communications is at the student's own risk.

(April 2010)

(Revised April 2017)

**Student Use of Internet and Electronic Communication
(Annual Acceptable Use Agreement)
(JS-E)**

Student

I have read, understand and will abide by the district's policy on Student Use of the Internet and Electronic Communications. Should I commit any violation or in any way misuse my access to the school district's technology devices, including use of the Internet and electronic communications, I understand and agree that my access privileges may be revoked and disciplinary and/or legal action may be taken.

If I am 18 years or older, I hereby release the school district from all costs, claims, damages or losses resulting from my use of district technology devices, including use of the Internet and electronic communications, including but not limited to any user fees or charges incurred through the purchase of goods or services.

Your signature on this Acceptable Use Agreement is binding and indicates you have read the school district's policy on Student Use of the Internet and Electronic Communications and understand its significance.

Student's Name (Printed)

Date of Birth (day/mo/yr)

Student's Signature

Date

Parent or Guardian **If the user is under 18 years of age, a parent or guardian must also sign this Agreement.*

As the parent or guardian of this student, I have read the district's policy on Student Use of the Internet and Electronic Communications. I understand that access to the Internet and electronic communications is designed for educational purposes and that the school district has taken reasonable steps to block or filter material and information that is obscene, child pornography or otherwise harmful to minors, as defined by the Board. I also recognize, however, that it is impossible for the school district to prevent access to all materials or information I might find harmful or controversial and I agree not to hold the district responsible for any such materials and information accessed by my child. Further, I accept full responsibility for supervision if and when my child's Internet or electronic communication use is not in a school setting.

I hereby release the school district from all costs, claims, damages or losses resulting from my child's use of district technology devices, including use of the Internet and electronic communications, including but not limited to any user fees or charges incurred through the purchase of goods or services.

I hereby give permission to issue an Internet and electronic communications account for my child and certify that the information contained on this form is true and correct.

Your signature on this Acceptable Use Agreement is binding and indicates that you have read the district's policy on Student Use of the Internet and Electronic Communications carefully and understand its significance.

*Parent or Guardian Name Printed

*Parent or Guardian Signature

Date

(Revised April 2017)