

Nondiscrimination/Equal Opportunity

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, gender identity, gender expression, marital status, national origin, religion, ancestry or need for special education services. Accordingly, no otherwise qualified student, employee, applicant for employment, or member of the public may 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 disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry or need for special education services. Discrimination against employees and applicants for employment based on age, genetic information and conditions related to pregnancy or childbirth is also prohibited in accordance with state and/or federal law.

For purposes of this policy and other policies including a nondiscrimination statement, these terms have the following meanings:

- "Race" includes hair texture, hair type, or a protective hairstyle that is commonly or historically associated with race.
- "Protective Hairstyle" includes such hairstyles as braids, locs, twists, tight coils or curls, cornrows, bantu knots, afros, and head wraps.
- "Sexual Orientation" means an individual's identity, or another individual's perception thereof, in relation to the gender or genders to which the individual is sexually or emotionally attracted and the behavior or social affiliation that may result from the attraction.
- "Gender Expression" means an individual's way of reflection and expressing the individual's gender to the outside world, typically demonstrated through appearances, dress, and behavior.
- "Gender Identity" means an individual's innate sense of the individual's own gender, which may or may not correspond with the individual's sex assigned at birth.

This policy and supporting regulation(s) will be used to address all concerns regarding unlawful discrimination and harassment. Alleged conduct regarding sex-based discrimination and sexual harassment will follow the complaint and investigation procedures specific to this conduct.

In keeping with these statements, the following are the 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, 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 they 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 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 will 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 disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry, or need for special education services. With respect to employment practices, the district will also issue written notice that it does not discriminate on the basis of age, genetic information, or conditions related to pregnancy or childbirth. The announcement will also include the name, address, email address, and telephone number of the person(s) designated to coordinate Title IX, Section 504, and ADA compliance activities.

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

The notice will 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 disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry 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.

Reporting unlawful discrimination and harassment

Any student who believes they have been a target of unlawful discrimination or harassment as defined in Board policy and supporting regulations, or who has witnessed such unlawful discrimination or harassment, is encouraged to 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 applicant for employment or member of the public who believes they have been a target of unlawful discrimination or harassment, or who has witnessed such unlawful discrimination or harassment, is encouraged to immediately file a complaint with the district's compliance officer.

Any employee who believes they have been a target of unlawful discrimination or harassment is encouraged to immediately file a complaint with either an immediate supervisor or the district's compliance officer, and any employee who has witnessed such unlawful discrimination or harassment must immediately 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, the complaint shall be made to the superintendent who will designate an alternate compliance officer to investigate the matter in accordance with this policy's accompanying regulation.

District Action

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

The district will 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 will 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 may be subject to discipline, up to and including suspension/expulsion for students and termination of employment. No student, employee or member of the public may 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 will implement measures designed to remedy the problem in those areas or activities.

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

In cases involving potential criminal conduct, the district will 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 must be prominently posted on the district's website, referenced in student and employee handbooks and made otherwise available to all students, staff and members of the public through electronic or hard-copy distribution. Training materials regarding sex-based discrimination and sexual harassment are available to the public on the district's website.

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

File: AC-R-1

(072820)

Nondiscrimination/Equal Opportunity (Complaint and Compliance Process)

East Otero School District is committed to providing a working and learning environment that is free from unlawful discrimination and harassment. East Otero School District must 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 discrimination and/or harassment complaints as required by state and federal law. When appropriate, the complaint will be referred to law enforcement for investigation.

East Otero School 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 must be identified by name, 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 must designate another district employee who will serve until a successor is appointed by the Board.
2. **"Aggrieved individual"** means 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 is responsible for conducting an investigation and coordinating all complaint 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 include: providing notice to students, parents/guardians of students, employees, and the general public concerning the compliance process; providing training for East Otero School 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 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 East Otero School District employees must be promptly forwarded to the compliance officer. If the compliance officer is the individual alleged to have engaged in the prohibited conduct, the complaint must be forwarded to the superintendent.

Any aggrieved individual may file with the compliance officer a complaint charging East Otero School District, another student or any district employee with unlawful discrimination or harassment. Complaints may be made orally or in writing. Persons who wish to file a written complaint are encouraged to use the East Otero School District's complaint form.

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

The Compliance Officer must confer with the aggrieved individual and/or the alleged target of the unlawful discrimination or harassment as soon as is reasonably possible, but no later than seven (7) calendar days following the compliance officer's receipt of the complaint in order to obtain a clear understanding of the basis of the complaint.

Within ten (10) calendar days following the initial meeting with the aggrieved individual and/or alleged target, the compliance officer must attempt to meet with the individual alleged to have engaged in the prohibited conduct and, if this individual is a student, their parents/guardians in order to obtain a response to the complaint. Such person(s) must 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 must explain the avenues for informal and formal action, provide a description of the complaint process, and explain that both the target 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 must also explain that whether or not the individual files a written complaint or otherwise requests action, East Otero School 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 must also explain that any request for confidentiality will be honored so long as doing so does not preclude East Otero School 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 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 may 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 may not be used to process complaints against a district employee and may not be used between students where the underlying offense involves sexual assault or other acts of violence.

Formal action

If informal resolution is inappropriate, unavailable or unsuccessful, the compliance officer must 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 target's reaction or change in behavior following the alleged prohibited conduct;
- e. evidence about whether the alleged target 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 must be considered by the compliance officer, including:

- a. the degree to which the conduct affected one or more students' 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 target;
- d. the number of individuals alleged to have engaged in the prohibited conduct and number of targets of the prohibited conduct;
- e. the ages of individual alleged to have engaged in the prohibited conduct and the aggrieved individual and/or alleged target;
- f. the size of the school, location of the incident, and context in which it occurred; and
- g. other incidents at the school.

The compliance officer must prepare a written report containing findings and recommendations, as appropriate, and submit the report to the superintendent within fifteen (15) calendar days following the compliance officer's receipt of the complaint or twenty (20) calendar days following the termination of the informal resolution process.

The compliance officer's report must be advisory and must not bind the superintendent or the district to any particular course of action or remedial measure. Within seven (7) calendar days after receiving the compliance officer's findings and recommendation, the superintendent or designee must determine any sanctions or other actions deemed appropriate, including 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, must be notified in writing of the final outcome of the investigation and all steps taken by East Otero School District within ten (10) calendar days following the superintendent's and/or Board'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 are instead governed by the Board's discipline policies and procedures.

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

Within ten (10) calendar days after the hearing, the hearing officer must issue a written decision based upon evidence presented at the administrative hearing, including any remedial or corrective action deemed appropriate. Remedial actions 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 the decision, the recording of the hearing, all physical and documentary evidence and all other items comprising the record of the hearing must be returned to East Otero School 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 may 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 applies, 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 will 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:

1. Denver Office for Civil Rights (OCR), U.S. Department of Education, 1244 Speer Blvd., Suite 310, Denver, CO 80204-3582. Telephone: 303-844-5695. Fax: 303-844-4303. TTY: 303-844-3417. Email: OCR.Denver@ed.gov
2. Federal Office of Equal Employment Opportunity Commission (EEOC), 303 E. 17th Avenue, Suite 410, Denver, CO 80203. Telephone: 800-669-4000. Fax: 303-866-1085. TTY: 800-669-6820. ASL Video Phone: 844-234-5122. Website: <https://publicportal.eeoc.gov/portal/>
3. Colorado Civil Rights Division (CCRD), 1560 Broadway, Suite 825, Denver, CO 80202. Telephone: 303-894-2997 or 800-886-7675. Fax: 303-894-7830. Email: DORA_CCRD@state.co.us (general inquires), DORA_CCRIntake@state.co.us (intake unit)



File: AC-R-2

(072820)

Sexual Harassment Investigation Procedures (Title IX)

The district is committed to maintaining a learning environment that is free from sex-based discrimination, including sexual harassment. It is 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 sex-based discrimination or harassment or participates in a harassment investigation.

Definitions

For purposes of this regulation, these terms have the following meanings:

- **"Complainant"** means an individual who is alleged to be the target of conduct that could constitute sex-based discrimination or sexual harassment.
- **"Decision Maker"** means an individual(s) who assess the relevant evidence, including party and witness credibility, to decide if the district has met the burden of proof showing the respondent to be responsible for the alleged sexual harassment. The decision maker may not be the Title IX Coordinator or the investigator. The district's decision maker is the Business Manager.
- **"Education Program or Activity"** means locations, events, or circumstances over which the district exercises substantial control over both the complainant and respondent and the context in which the sexual harassment occurs.
- **"Investigator"** means an individual trained to objectively evaluate the credibility of parties and witnesses, synthesize all available evidence – including both inculpatory and exculpatory evidence – and take into account the unique and complex circumstances of each situation. The investigator may be the Title IX Coordinator, but cannot be the decision maker.
- **"Respondent"** means an individual who has been reported to be the perpetrator of conduct that could constitute sex-based discrimination or sexual harassment.
- **"Sexual Harassment"** means conduct on the basis of sex that satisfies one or more of the following:
 1. A school employee conditioning education benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
 2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
 3. Sexual assault, dating violence, domestic violence, or stalking.
- **"Supportive Measures"** mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, without fee or charge, to the complainant or respondent, before or after the filing of a formal complaint or where no formal complaint has been filed.
- **"Title IX Coordinator"** means the employee designated by a recipient to coordinate its efforts to comply with Title IX responsibilities. The district's Title IX Coordinator is Superintendent Rick Lovato, 301 Raton Avenue, La Junta, Colorado, Telephone (719) 384-6900.

Filing a complaint

A complainant, or a parent or guardian with the legal right to act on the complainant's behalf, may file a complaint. Complaints must be filed in writing and signed by the complainant. Forms for this purpose are available in the counseling offices or at Central Office, 301 Raton Avenue, La Junta, Colorado. Completed forms must be filed with the Title IX Coordinator. If a complaint form is given to a district employee, the district employee will promptly forward the complaint to the Title IX Coordinator. An alternate will be designated in the event it is claimed that the respondent is the one who committed the alleged discrimination or some other conflict of interest exists. Complaints must be filed within 180 days of the event giving rise to the complaint or from the date the complainant could reasonably become aware of such occurrence. The complainant will receive assistance as needed in filing a complaint.

Retaliation against the complainant, respondent, or any person who filed a complaint or participated in an investigation, is prohibited. Individuals found to have engaged in retaliatory behavior will be subject to disciplinary measures.

Investigation

Once a complaint is received, the Title IX Coordinator or investigator ("investigator") will first determine if the alleged conduct occurred in the district's education program or activity. If the alleged conduct is not part of the education program or activity, the complaint must be dismissed under these procedures. A dismissal does not prohibit the complainant from pursuing other remedies under state or federal law or local board policy, nor does it prohibit the district from addressing the allegations in any manner the district deems appropriate.

Following this determination, the investigator will begin the investigation in a reasonably prompt manner and adhere to the following:

- The investigator must apply the "presumption of innocence" standard during the course of the investigation.
- The investigator must adhere to all timeframes. If a timeframe cannot be met, the investigator will notify the complainant, respondent, and decision maker.
- The investigator will protect the complainant from inappropriate questions and evidence about the complainant's prior sexual history.
- The investigator must provide written notice of the allegations to the parties involved.
- The investigation may also include, but is not limited to, the following:
 - Implementation of supportive measures for both the complainant and the respondent;
 - A request for the complainant to provide a written statement regarding the nature of the complaint;
 - A request for respondent to provide a written statement;
 - A request for witnesses identified during the course of the investigation to provide a written statement;
 - Interviews of the complainant, respondent, or witnesses; and
 - Review and collection of documentation or information deemed relevant to the investigation.
- Within a reasonably prompt timeframe, the investigator must issue a report to the decision maker. After finalizing the report, the investigator will provide a copy to the complainant and respondent and will wait ten days prior to providing the report to the decision. The investigator's report must be advisory and must not bind the decision maker to any particular course of action or remedial measure.

Decision

The decision maker will apply the preponderance of the evidence standard when making a decision and must notify the complainant and respondent of the decision. The decision must include a written determination regarding responsibility, explain how and why the decision maker reached the conclusions outlined in the report, and detail any disciplinary measures taken in response to the conduct. The decision of the decision maker in no way prejudices either the complainant or the respondent from seeking redress through state or federal agencies, as provided in law.

Appeal

The investigation is closed after the decision maker issues a decision, unless either party appeals the decision within 10 days by making a written request to the decision maker detailing why the decision should be reconsidered.

Notice and training

To reduce unlawful discrimination and harassment and ensure a respectful school environment, the administration is responsible for providing notice of these procedures to all district schools and departments. The policy and complaint procedures must be prominently posted on the district's website, referenced in student and employee handbooks and otherwise be made available to all students, staff, and members of the public through electronic or hard-copy distribution.

All students and district employees will receive periodic training related to recognizing and preventing sexual harassment. District employees must receive additional periodic training related to handling reports of sexual harassment. Training materials are available to the public on the district's website.

File: ADC



Tobacco-Free Schools

(091420)

To promote the general health, welfare, and well-being of students and staff, smoking, chewing, or any other use of any tobacco product by staff, students, and members of the public is prohibited on 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 for 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 students or children under the age of 21 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.
 - d. At a school-sanctioned event or activity.
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 on an individual including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, or liquid nicotine/e-liquids; 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, inhaling, vaping, or application of any tobacco product.
 - 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 on an individual including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, or liquid nicotine/e-liquids; and

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 district policy. This policy will 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 actions.

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 shall be expelled solely for tobacco use.



File: IHCD A

Concurrent Enrollment

(102422)

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 will 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. Concurrent enrollment does not include a student's simultaneous enrollment in: a district high school and in one or more secondary career and technical education courses, advanced placement courses, or international baccalaureate courses; an early college course and a postsecondary course; a p-tech school and a postsecondary course; or a district high school and a postsecondary course that does not fall within the definition of concurrent enrollment.

“**Qualified student**” means a person means a person who is less than 21 years of age and is enrolled in the 10th 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.

“**Institute 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 must follow the procedure accompanying this policy, including but not limited to timely submitting an application and establishing an academic plan of study. Qualified students must meet the minimum prerequisites and academic readiness for the postsecondary courses in which they seek to enroll.

The Board determines the manner in which it provides opportunities for concurrent enrollment. However, the district may not unreasonably deny approval for concurrent enrollment or limit the number of postsecondary courses in which a qualified student may enroll unless the district is unable to provide access due to technological capacity.

Academic credit

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

High school credit will be denied if a qualified student does not receive a passing grade for the postsecondary course. High school credit will 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 received high school credit for such courses, the district and the participating institution will enter into a written cooperative agreement in accordance with the Act.

Payment of tuition

The district will pay the tuition for postsecondary courses in accordance with the Act and the district’s cooperative agreement with the institution of higher education.

The qualified student and the student’s parent/guardian will be responsible for the cost of textbooks and fees for postsecondary courses.

Transportation

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

Notice

Information about concurrent enrollment options will be made available to high school students and their parents/guardians on an annual basis. In addition, at least six weeks prior to the beginning of the enrollment period for postsecondary concurrent enrollment courses, written notice (which may be sent electronically) will be provided to high school students and their parents/guardians of the postsecondary courses offered at no tuition cost to qualified students at the district and at an institution of higher education, any anticipated costs of textbooks and fees to the qualified student for those courses, and the number of transferability of course credits that a qualified student may earn by enrolling in and successfully completing a concurrent enrollment course.

Information about concurrent enrollment options and the benefits of participating in concurrent enrollment during high school will be provided to middle school students and their parents/guardians electronically at least once during the school year and at least once during the summer.

File: IKA



Grading/Assessment Systems

(081020)

The Board believes that students will respond more positively to the opportunity for success than to the threat of failure. The district seeks, therefore, in its instructional program to make achievement both recognizable and possible for students. It emphasizes 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 in elementary and middle school to take standardized assessments in the instructional area of social studies. Accordingly, the district will 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 must 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 will 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 their child from a particular state assessment or assessments must make this request in accordance with this policy’s accompanying regulation.

In accordance with state law, the district will not impose a negative consequence upon a student whose parent/guardian has requested an exemption from a state assessments or assessments. Students excused by their parents/guardians from participating in a state assessment or assessments will not be prohibited from participating in an activity or from receiving any other form of reward that the district provides to students for participating in the state assessment.

This policy's exemption process applies only to state assessments administered pursuant to C.R.S. 22-7-1006.3 and does 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, will have access to the student's state assessment results and longitudinal academic growth information and must 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 and apply what they have learned and give them the opportunity 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 employer; 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 will 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 will 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 will be aligned with the Board-adopted academic standards and the district's 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 is 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 will devise a grading system for evaluating and recording student progress and to measure student performance in conjunction with the district's academic standards. The records and reports of individual students will be kept in a form meaningful to parents/guardians as well as teachers. The grading system will 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 students.

The Board will approve the grading, reporting and assessment systems as developed by the 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.

File: JB

Equal Educational Opportunities

(121321)

Every student of this school district will have equal educational opportunities through programs offered in the school district regardless of disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry, or need for special education services.

This concept of equal educational opportunity will guide the Board and staff in making decisions related to school district facilities, selection of educational materials, equipment, curriculum, and regulations affecting students. Students with identified physical and mental impairments that constitute disabilities will be provided with a free appropriate public education, consistent with the requirements of federal and state laws and regulations.

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 tests, procedures and guidance and counseling materials for stereotyping and discrimination.
6. Discipline – review discipline records to ensure the equitable implementation and application of Board discipline policies.

File: JBB

Sexual Harassment

(081020)

The Board 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 which prohibit sex discrimination, as addressed in Board policy AC.

District's commitment

The district is committed to maintaining a learning environment that is free from sexual harassment. It is a violation of policy for any staff 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.

Sexual harassment defined

Pursuant to Title IX of the Educational Amendments of 1972, "sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. A school employee conditioning education benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
3. Sexual assault, dating violence, domestic violence, or stalking.

Pursuant to state law, "harassment" means creating a hostile environment based on an individual's sex.

Reporting, investigation, and sanctions

Students are encouraged to report all incidences of sexual harassment to either a teacher, counselor, or principal in their school building and file a complaint, through the district's complaint process addressing sex-based discrimination. All reports and indications from students, district employees, and third-parties must be forwarded to the Title IX Coordinator.

The district will initiate and conduct an investigation in accordance with the appropriate procedures addressing sex-based discrimination and sexual harassment.

All matters involving sexual harassment reports must remain confidential to the extent possible as long as doing so is in accordance with applicable law and policy and does not preclude the district from responding effectively to the harassment or preventing future harassment. Filing of a complaint or otherwise reporting sexual harassment will not reflect upon the individual's status or affect grades.

The district will take appropriate corrective action to: make the harassed student whole by restoring lost educational opportunities; prevent harassment from recurring; or prevent retaliation against anyone who reports sexual harassment or participates in a harassment investigation.

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 and complaint procedures to all district schools and departments. The policy and complaint procedures must be reference in student and employee handbooks and otherwise be made available to all students, staff, and members of the public through electronic or hard-copy distribution.

All students and district employees will receive periodic training related to recognizing and preventing sexual harassment. District employees must receive additional periodic training related to handling reports of sexual harassment. Training materials are available to the public on the district's website.

File: JH



(081020)

Student Absences and Excuses

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 ensure 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

Absences for the following reasons will be considered excused:

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. Only prearranged absences of a serious nature will be approved for appointments or circumstances that cannot be taken care of outside of school hours.
2. A student who is absent for an extended period due to a physical disability or a mental or behavioral health disorder.
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.

Examples of those absences may include:

- Forensics
- Field Trips
- Athletics

Criteria for other than school-sponsored events will include:

- Advance notice within 3 days of absence
- Written notification required
- Make-up work picked up in advance OR student give oral/written report on activity

5. A student who is suspended or expelled.

As applicable, the principal or designee may request written verification of a student's illness from a physician licensed to practice medicine in the state in the event of frequent or extended absence attributed to personal illness.

If a student is in out-of-home placement (as that term is defined by C.R.S. 22-32-138(1)(h)), 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 will be entered on the student's record. Every attempt will be made to notify the parents/guardians of the student receiving 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 expulsion will not be imposed for any unexcused absence.

The administration will develop regulations to implement appropriate penalties. The school administration will consider the correlation between course failure, truancy and a student dropping out of school in developing these regulations and will implement strategies to re-engage students with a high number of unexcused absences.

Students and parents/guardians may petition the Board of Education for exceptions to this policy or the accompanying regulation provided that no exception will 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 proceeding are initiated to enforce compulsory attendance is ten (10) days during any calendar year or school year.

Chronic Absenteeism

When a student has an excessive number of absences, these absences negatively impact the student's academic success. For this reason, a student who has 10% or 16 total absences in a school year, whether the absences are excused or unexcused, may be identified as "chronically absent" by the principal or designee. Absences due to suspension or expulsion will not be counted in the total number of absences considered for purposes of identifying a student as "chronically absent."

If a student is identified as "chronically absent," the principal or designee will develop a plan to improve the student's attendance. The plan will include best practices and research-based strategies to address the reasons for the student's chronic absenteeism, including but not limited to offering students alternative school options, online courses, counseling, and mentors. When practicable, the student's parent/guardian will participate in the development of the plan. Nothing herein will require the principal or designee to identify a student as "chronically absent" prior to declaring the student as a "habitual truant" and pursuing court proceedings against the student and his or her parents/guardians to compel the student's attendance in accordance with state law.

Notification

Each principal or his/her designee shall develop guidelines for excusing and processing absences. A copy shall be given to the district attendance officer.

The principal shall have discretionary powers to accept or reject parental reasons for an absence.

Make-up Work

Make-up work will 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. Teachers will inform students of make-up procedures for their classes. It will then be the student's responsibility to follow the procedure and have make-up work in on time. Following normal excused absences, the student will have one day for each day missed to complete make-up work. Following excused absences of five days or more, two days will be allowed for each day missed. A student with an excused absence will receive full credit work made up within these time guidelines.

Make-up work will be allowed following an unexcused absence or following a student's suspensions 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 will not be provided during a student's expulsion. Rather, the district will offer alternative education services to the expelled student in accordance with state law. The district will 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 and is not caused by school personnel. Because of the disruptive nature of tardiness and the detrimental effect upon the rights of the non-tardy students to uninterrupted learning, appropriate penalties may be imposed for excessive tardiness. The school administration will develop regulations to implement tardiness penalties.

Attendance and Participation in School Activities

A student will be in attendance at school for the entire day in order to participate in any school-sponsored activity that is conducted on that day. In cases of emergency, the principal or designee may grant an exception to this limitation.

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

File: JHB



Truancy

(121409)

If a student is absent without a signed parental excuse 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 or from class 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 purpose of defining a student as a "habitual truant."

In order to reduce the incidents of truancy, parents of all students shall be notified in writing at the beginning of each school year of their obligation to ensure that all children of compulsory attendance age attend school. Parents 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 student fails to report on a regularly scheduled school day and school personnel have received no indication that his parent is aware of the absence, school personnel or volunteers under the direction of school personnel shall make a reasonable effort to notify the parents 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. When practicable, the student's parent(s), guardian(s) or legal custodian shall participate with district personnel during the development of the plan. The school shall require a meeting between the student's parent and appropriate school personnel to review and evaluate the reasons for the student's truancy. Such meeting shall be held not later than 10 school days after the student's fourth unexcused absence in a month or 10th unexcused absence in a year.

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. The school administration shall consider the correlation between course failure, truancy, and a student dropping out of school in developing these regulations. Penalties shall be determined at the building and shall appear in building student handbooks.

File: JIC



Student Conduct

(81213)

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 applicable law has adopted 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 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 "JIC" in the file name constitute the conduct section of the legally-required code. The Board shall consult with parents/guardians, students, teachers, administrators and other community members 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, junior high, and high school. Copies shall be posted or kept on file in each school of the district. In addition, any significant change 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 education 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 shall be expected to share the responsibility for supervising the behavior of students and for seeing that they abide by the conduct and discipline code.

File: JICA

Student Dress

(21218)

A safe and disciplined learning environment is essential to a quality educational program. District-wide standards on student attire are intended to encourage school pride and unity, and thereby help students concentrate on schoolwork, reduce discipline problems, and improve school order and safety. The Board of Education recognizes that students have the 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. Therefore, rules concerning student dress may be established by the school administration to insure that student dress meets standards of cleanliness, healthfulness and safety and does not disrupt the educational process.

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. The Board of Education directs school administration to establish discipline guidelines to follow when a student does not abide by dress code, especially for repeat offenders.

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 during regularly scheduled school hours:

- 1) Shorts, dresses, skirts or other similar clothing shorter than finger-tip length
- 2) Sunglasses and/or hats (hats may be worn inside the building by 9-12 grade students) worn inside the building (except for special dress days.)
- 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) For grades K through 12, sleeveless shirts for both boys and girls.
- 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, weapons or 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

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

Exceptions

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

File: JICC

(81213)

Student Conduct in School Vehicles

The privilege of riding in 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. Therefore, it is the vehicle operator's duty to notify the director 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 may withhold from the student the privilege of riding in 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.

If a major infraction occurs, such as fighting or vandalism and other such activities, the operator is to pull the school vehicle off the road and stop the activity. The operator will then proceed on the route. The student must be delivered home or to the school. When the stop for the student is reached, the operator then informs the student that he/she is suspended from the bus until further notice. School officials and parents shall be notified.

When bus aides and trip sponsors are present, they shall have primary responsibility for the behavior of the students. Any student behavior problems need to be reported to that building principal.

File: JICDA

(030920)

Code of Conduct

Students in third grade and higher grade levels

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 in third grade and higher grade levels 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 other 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 on 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.

Students in preschool through second grade

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 in preschool, kindergarten, first grade, or second grade who engages in one or more of the following activities while on district property, in a school building, in a district or school vehicle, at a district or school activity or event, or off district property when the conduct has a nexus to school or any district curricular or non-curricular event:

1. 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.
2. Violation of the Board's policy on student conduct involving drugs and alcohol.
3. Conduct that endangers the health or safety of others.

File: JICDD

(121321)

Violent and Aggressive Behavior

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 will 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 must 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 must 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 the following behaviors:

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, their 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 disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry, or need for special education services.
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.

File: JICDE



Bullying Prevention and Education

(041122)

Statement of Purpose

The Board of Education supports a secure and positive school climate, conducive to teaching and learning that is free from threat, harassment and any type of bullying behavior. The purpose of this policy is to promote consistency of approach and to help create a climate in which all types of bullying are regarded as unacceptable.

Bullying and other behaviors as defined below are prohibited on district property, at district or school-sanctioned activities and events, when students are being transported in any vehicle dispatched by the district or one of its schools, or off school property when such conduct has a nexus to school or any district curricular or non-curricular activity or event.

Prohibited Behavior

- Bullying
- Retaliation against those reporting bullying and/or other behaviors prohibited by this policy
- Making knowingly false accusations of bullying behavior

Definitions

Bullying is the use of coercion or intimidation to obtain control over another person or to cause physical, mental or emotional harm to another person. Bullying can occur through written, verbal or electronically transmitted expressions (i.e. cyberbullying) or by means of a physical act or gesture. Bullying is prohibited against any student for any reason, including but not limited to any such behavior that is directed toward a student on the basis of their academic performance or any basis protected by federal and state law, including disability, race, creed, color, sex, sexual orientation, marital status, national origin, religion, ancestry or the need for special education services, whether such characteristic(s) is actual or perceived.

Retaliation is an act or communication intended as retribution against an individual who reports an act of bullying. Retaliation can also include knowingly making false accusations of bullying or acting to influence the investigation of, or the response to, a report of bullying.

False accusations of bullying are those made knowingly by an individual or group of individuals with the purpose of causing them harm to another individual and which are false.

Prevention and Intervention

The superintendent will develop a comprehensive program to address bullying at all school levels and will ensure that the program is consistently applied across all students and staff. The program will be aimed toward accomplishing the followings goals:

1. To send a clear message to students, staff, parents and community members that bullying and retaliation against a student who reports bullying will not be tolerated.
2. To train staff on an annual basis in taking proactive steps to prevent bullying from occurring, which includes but is not limited to, training on the bullying prevention and education policy, how to recognize and intervene in bullying situations, and positive school climate practices.
3. To implement procedures for immediate intervention, investigation, and confrontation of students engaged in bullying behavior.
4. To initiate efforts to change the behavior of students engaged in bullying behavior through re-education on acceptable behavior, discussions, counseling, and appropriate negative consequences.
5. To foster a productive partnership with parents and community members in order to help maintain a bullying-free environment across settings.
6. To support targets of bullying through a layered continuum of supports that includes, but is not limited to, individual and peer counseling.
7. To help develop peer support networks, social skills, and confidence for all students.
8. To support positive school climate efforts that clearly define, teach, and reinforce prosocial behavior. This includes intentional efforts to promote positive relationships between staff and students as well as students with other students.
9. To designate a team of persons at each school who advise the school administration of the severity and frequency of bullying. The team of persons at the school may include, but need not to be limited to, school resource officers, social workers, school psychologists, health professionals, mental health professionals, members of bullying prevention or youth resiliency community organizations, counselors, teachers, administrators, parents and students.
11. To include students' impressions of the severity and frequency of bullying behaviors in their school.
12. To provide character building for students that includes, but is not limited to, age-appropriate, evidence-based social and emotional learning as well as information on the recognition and prevention of bullying behaviors.

A student who engages in any act of bullying, retaliation, and/or other behaviors prohibited by this policy is subject to appropriate disciplinary action including but not limited to suspension, expulsion and/or referral to law enforcement authorities. The severity and pattern, if any, of the bullying behavior will be taken into consideration when disciplinary decisions are made. Bullying behavior that constitutes unlawful discrimination or harassment will be subject to investigation and discipline under related Board policies and procedures.

Students targeted by bullying when such bullying behavior may constitute unlawful discrimination or harassment also have additional rights and protections under Board policies and procedures regarding unlawful discrimination and harassment.



School-Related Student Publications

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 purposes, 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 commission 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 are 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 is responsible for supervising the production of school-sponsored publications and for teaching and encouraging free and 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.

Student Distribution of Noncurricular Materials

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 may distribute noncurricular written materials on school property in accordance with this policy, its accompanying regulations and applicable state and federal law.

Prohibited distribution

Students may not distribute any noncurricular materials on school property or at school-sponsored activities or events of the school that in themselves or in the manner they are distributed:

- create or threaten to create a substantial disruption or material interference with the normal operation of the school, school activity or event;
- advocate or encourage unlawful conduct or conduct that violates Board policy, including but not limited to the Board's policies prohibiting unlawful discrimination, harassment and bullying;
- cause or threaten to cause injury to persons or property; or
- are obscene, defamatory or violate any person's privacy rights.

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 may not be used for publication of such material.

Secret Societies/Gang Activity

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 activities or sanctioned events.

Drug and Alcohol Involvement by Students

East Otero School District 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 exchange 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, medication, vitamin or other chemical substances not taken in accordance with the Board's policy and regulations on administering medicines to students or the Board's policy on administration of medical marijuana to qualified 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 a school vehicle or taking part in any school sponsored or sanctioned activity or 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 from school and/or expulsion from school and referral for prosecution. Disciplinary sanctions and interventions for violations of this policy shall be in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions. When the distribution of controlled drugs is involved, police shall be notified.

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.

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/guardians 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/guardians 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.

Weapons in School

The Board of Education determines that student possession, use and/or threatened use of a weapon 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 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 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.

- a. As used in this policy, "dangerous weapon" means:
- b. A firearm;
- c. Any pellet, BB gun or other device, whether operational or not, designated to propel projectiles by spring action or compressed air;
- d. A fixed blade knife with a blade exceeding three inches in length or 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, that is 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 reasonably 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.

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.

File: JICJ

Student Use of Cell Phones and Other Personal Technology Devices

(71017)

The Board of Education believes personal technology devices may be useful tools for students in the educational environment and can play a vital communication role during emergency situations. However, ordinary 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 PTDs 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, pagers, tablets, laptops, cameras, audio and/or video recorders and players, and all other hand-held electronic communication and data storage devices.

Students may use PTDs 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 PTDs 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 PTDs 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 PTDs 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 an 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 PTDs brought onto school or district property or while the student is attending district or school-sponsored activities or events.

File: JIH

Student Interviews, Interrogations, Searches and Arrests

(81213)

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 with 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. If the search produces evidence to be used as the basis for disciplinary action, the report shall be filed in the student's cumulative folder.

Searches may be conducted by a school official who has reasonable grounds for suspecting that a search will turn up evidence that the student has violated either the law or Board policy. When reasonable grounds for a search exist, school personnel may search a student and/or his property while on school premises or during a school activity under the circumstances outlined in this policy and may seize any illegal, unauthorized or contraband materials.

Definitions

1. "Reasonable suspicion" is the standard for a search on school property or at school activities carried out by school authorities. Reasonable suspicion should be based on facts provided by a reliable informant or personal observation which cause the school official to believe, based on his own experience, that search of a particular person, place or thing would lead to the discovery of evidence of a violation of Board policy or state laws. Reasonable suspicion requires more than a mere hunch.
2. "Contraband" consists of all substances or materials prohibited by Board policy or state law including but not limited to drugs, alcoholic beverages, guns, knives, other weapons and incendiary devices.

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:

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

1. 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.
2. Returned to the student or the parent or guardian.
3. 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 circumstances exist, such interrogations and interviews are discouraged during students' class time.

The principal or designee shall be present during the law enforcement interrogation or interview unless a court order provides otherwise. 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 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.

If the student is under 18, the student's parent/guardian also shall be present during the law enforcement interrogation or interview unless: (1) the juvenile is emancipated as that term is defined in state law; (2) the student's parent/guardian has not been notified pursuant to this policy; or (3) the student's parent/guardian agrees to the interrogation or interview without being present.

Search and seizure:

The principal or designee may request a search on school premises be conducted by a law enforcement officer. When law enforcement officers 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 officers for any reason, school officials will make reasonable efforts to notify the student's parent/guardian.

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.

File: JJA



Student Organizations (Secondary Schools)

(52593)

Secondary schools (grades 7 through 12) in the district may encourage students to broaden their knowledge and citizenship by permitting the formation of clubs 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 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 adviser must attend every meeting of the student organization whether conducted on school premises or at another location.

The principal is responsible for determining that 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 as a district-sponsored student organization, 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.

The district may wish to deny access to noncurricular clubs.

In the event that the principal denies a group the right to organize and conduct meetings as a district-sponsored student organization, then students may seek permission to meet as a noncurricular student organization in accordance with Board policy.

The principal shall post the current lists of recognized district-sponsored and Board approved non curricular clubs on a bulletin board used for such purposes which shall be readily accessible to the student body.

File: JK



Student Discipline

(71017)

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 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 shall emphasize 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 commencing with 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 events three or more times during the course of a school year may 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 shall 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, junior high and high school. The district shall take reasonable measures to ensure each student is familiar with the code. Copies shall be posted in each school of the district. In addition, any significant change in the code shall be provided to students and posted on the district's website.

File: JK-R



Student Discipline

(62217)

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 or designee will contact the student's parent/guardian to schedule meeting with the student, the student's parent/guardian and any members of the staff who 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, his or her educational needs and what steps are necessary to keep the child in school. The plan will include 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 may be declared "habitually disruptive" if three or more times during the course of the school year the student causes a material and substantial disruption, on school grounds, in a school vehicle, or at a school activity or sanctioned events.

1. The principal will inform the superintendent when if a student causes a second material and substantial disruption.
2. The student and the student's parent/guardian will be notified in writing of each disruption 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.

File: JK-2



Discipline of Students with Disabilities

(11209)

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 IEP, 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.

Suspension

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 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.

Manifestation Determination

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, 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 two 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 will be applied to the student in the same manner as applied to nondisabled 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 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 without regard to the manifestation determination 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 without 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 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 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 has not allowed an evaluation of the student, 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 refused services.

File: JKA



(42423)

Use of Physical Intervention and Restraint

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 physical intervention 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 the 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 one minute unless the provisions regarding restraint contained in this policy and accompanying regulation are followed.

Restraint

For 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 and seclusion. If property damage may be involved, restraint may only be used when the destruction of property could possibly result in bodily harm to the individual or another person. Restraint shall not include the holding of a student for less than one minute by a district employee for the protection of the student or others and other actions excluded from the definition of restraint in state law.

If a student is physically restrained for a period of time longer than one minute, but less than five minutes, the student's parent(s) are required to be notified. The notice must be given in writing on the same day the restraint occurs, and must include the date of restraint, student's name, and the number of times that day that the student was restrained.

If a student is physically restrained for a period of time longer than five minutes, the school administration shall verbally notify the parent or guardian as soon as possible, but not later than the end of the school day that the restraint was used. Additionally, the school administration shall mail, fax, or e-mail a written report of the incident, including all information required by law, to the parent or legal guardian of the student not more than five calendar days after the use of the restraint on the student.

District employees shall not use restraint as a form of discipline or to control or gain compliance from a student. 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.

If a student is placed in a seclusion room, the student must be continually monitored. The seclusion room must have at least one window to monitor students when the door is closed. If it is not feasible to utilize a room with a window, monitoring by video camera must be possible. The seclusion room must be a safe space free from injurious items and must not be a space used by school staff for offices, storage, or custodial purposes.

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

Use of Mechanical or Prone Restraints

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 school and who meet the legal requirements of C.R.S. 26-20-111 (3), however, no law enforcement officer or armed security officer shall use handcuffs on any student unless the student poses an immediate danger to themselves or others or if handcuffs are solely used during a custodial arrest requiring transport,
2. When the student is openly displaying a deadly weapon, as defined in C.R.S. 18-1-901 (3)(e).

File: JKA-R



(32723)

Use of Physical Intervention and Restraint

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 one minute 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 re-structuring 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 form of discipline or to control or gain compliance of a student.
- 4) School personnel shall:
 - a. use restraints only for the period of time necessary and using no more force than necessary; and

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.
 - a. a restrained student shall be continuously monitored to ensure that the breathing of the student in such physical restraint is not compromised.
 - a. 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
 - a. any space in which a student is secluded shall have adequate lighting, ventilation and size and shall not be any space used by school staff for storage, custodial purposes, or office space.
 - a. Any space used for student seclusion must have at least one window to monitor students when the door is closed. If an adequate space with a window is not feasible, video camera monitoring must be possible. Continuous monitoring is required throughout the time a student is secluded.
 - a. The space must 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:
the restraint procedures (including types of restraints) that might be used;
specific circumstances in which restraint might be used; and
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) If a student is restrained for more than one, but less than five minutes, written notice must be given to the student's parent or legal guardian on the day of the restraint. The written notice shall include the date of restraint, student's name, and the number of times the student was restrained that day.
- 4) If a student is restrained for five minutes or more, 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:
the antecedent to the student's behavior if known;
 - a. a description of the incident;
 - b. efforts made to de-escalate the situation;
 - c. alternatives that were attempted;
 - d. the type and duration of the restraint used;
 - e. injuries that occurred, if any; and
 - f. the staff present and staff involved in administering the restraint.
- 5) 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 IEPs 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 incidence 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 ratio; 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 and 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.

File: JKA-E-3

(21218)

Complaint Procedures and Regulations Regarding the Use of Restraint or Seclusion, 1 CCR 301-45 2620-R-2.07

According to applicable rules of the Colorado State Board of Education, the following represents the process that must be followed when a student or the student's parent/guardian wishes to file a complaint about the use of restraint or seclusion by a district employee.

- 2.07(1) A student or a parent or legal guardian may file a complaint about the use of restraint or seclusion used by an employee or volunteer of a school or charter school of [a] school district or Board of Cooperative Services or any institute charter school by using the procedures established under this section 2.07.
- 2.07(2) Required Content of the Complaint: The Complaint must contain the following information:
 - 2.07(2)(a) A statement that the employee or volunteer has violated a requirement regarding the use of restraints and an identification of the portion of the statute, rule, or regulation to have been violated, if known by the complainant;
 - 2.07(2)(b) The background information and facts on which the Complaint is based that identify persons, actions and/or omissions;
 - 2.07(2)(c) The name and the residential address of the child against whom the alleged violation occurred;
 - 2.07(2)(d) The name of the school that the child was attending when the alleged violation occurred;
 - 2.07(2)(e) A proposed resolution of the problem to the extent known and available to the complainant at the time the Complaint is filed;
 - 2.07(2)(f) The Complaint must allege that the violation(s) set forth in the Complaint occurred not more than one (1) year prior to the date that the Complaint is filed with the Department of Education (CDE);
 - 2.07(2)(g) The signature and contact information (minimally, address and telephone number) for the complainant; and
 - 2.07(2)(h) Written verification in a cover letter accompanying the Complaint that a complete copy of the Complaint and any attachments have also been mailed, hand-delivered by other secure method to the public education agency (i.e. a school district, BOCES, or the Charter School Institute) serving the child.
- 2.07(3) The Complaint, including any attachments, must be mailed, hand-delivered, or delivered by other secure method to the IDEA State Complaints:

IDEA Part B State Complaints Officer
Colorado Department of Education
Exceptional Student Leadership Unit, Dispute Resolution Office
1560 Broadway, Suite 1175
Denver, Colorado 80202

Additionally, as noted in paragraph 2.07(2)(h) above, a complete copy of the Complaint, including any attachments, must also be mailed, hand-delivered, or delivered by other secure method to the public education agency (i.e. a school district, BOCES or the Charter School Institute) serving the child

- 2.07(4) Complaints involving children with disabilities
 - 2.07(4)(a) If the State Complaints Officer determines that the Complaint alleges a violation of the IDEA or its implementing regulations in 34 CFR Part 300, then the Complaint shall be processed through CDE's IDEA dispute resolution process. In these cases, the State Complaints Officer shall also have the authority to investigate and process a Complaint alleging improper use of seclusion and restraints in accordance with the timelines and procedures outlined in these rules.

- 2.07(4)(b) If the State Complaints Officer determines that the Complaint does not meet the criteria under section 2.07(4)(a), he or she shall refer the Complaint to the Restraint Complaints Officer (RCO) within five (5) calendar days of receiving the Complaint and shall notify the complainant in writing of this referral.
- 2.07(4)(c) Nothing in this subsection shall require the complainant to submit an additional Complaint directly to the RCO.
- 2.07(5) The Complaint shall be considered properly filed with the Department when it is received in CDE's Dispute Resolution Office and satisfies paragraph 2.07(2) above. A Complaint, once filed, will not be accepted for investigation if the CDE does not have jurisdiction (i.e., authority) to investigate; or if the Complaint does not set forth sufficient grounds on which to grant relief.
- 2.07(6) Within ten calendar (10) days of receipt of the Complaint, the RCO shall decide to accept or reject the Complaint for investigation and notify the complainant in writing. If the Complaint was sent via mail, the RCO's decision shall be postmarked by the 10th day. If the Complaint is accepted, the RCO shall:
- 2.07(6)(a) Notify the complainant of receipt and acceptance of the Complaint;
- 2.07(6)(b) Notify, by certified or overnight mail, the public education agency of each and every allegation contained in the Complaint together with a complete copy of the Complaint; and
- 2.07(6)(c) Initiate an investigation concerning the allegations contained in the Complaint.
- 2.07(7) Complaint Timelines:
- 2.07(7)(a) Response: Within fifteen (15) calendar days of receiving the RCO's notification of the Complaint, the public education agency may file a Response to the Complaint allegations and provide information which it deems necessary or useful for the RCO to consider in conducting a thorough investigation. If the public education agency fails to timely respond to an allegation, the RCO may, in his/her sole discretion, deem the allegation admitted. The Response is due by 5:00 p.m. on the date due. The public education agency shall provide any written Response to the RCO and also a complete copy of the Response, including any attachments, to the complainant unless doing so would violate relevant laws regarding confidentiality. The public education agency shall provide the RCO with a legible copy of the written tracking receipt which verifies that a complete copy of the Response, including any attachments, was sent by certified or overnight mail to the complainant.
- 2.07(7)(b) Reply: Within ten (10) calendar days of delivery of the response, the complainant may file a written Reply to the Response, including any attachments, in support of his/her position. The complainant shall provide any written Reply to the RCO at the address identified in paragraph 2.07(3), above, and also provide the RCO by 5:00 p.m. on the date due with written verification that a complete copy of the Reply, including any attachments, was also mailed or hand-delivered to the public education agency. The Response and Reply must be delivered by 5:00 p.m. on the date due to the office of the RCO and not merely postmarked by the due date. If the Response or Reply is untimely, the RCO may, within his or her sole discretion, refuse to consider the late document.
- 2.07(7)(c) Timeline Extensions: If the RCO finds that exceptional circumstances exist with respect to a particular Complaint, the RCO may, in his or her sole discretion, extend for a reasonable period of time, any of the timelines set forth in these Complaint procedures. Any request and extension of a timeline must occur prior to expiration of the timeline and shall be documented in a written order issued by the RCO prior to the expiration of the timeline and mailed to the parties. The RCO does not have authority to extend the regulatory statute of limitations of one (1) year described in Section 2.07(2)(f) above.
- If one or more due dates in the process fall on a weekend or a state holiday, the due date shall be the next calendar day following a weekend or state holiday if the due date is on a weekend or state holiday.
- 2.07(7)(d)
- 2.07(8) Complaint Investigations:
- 2.07(8)(a) The Complaint investigation may include, but is not limited to: an onsite investigation; request(s) that the complainant or public education agency provide additional information; and request(s) to review records in the possession of either party.
- 2.07(8)(b) Any time after a Complaint is filed and before the Complaint is resolved, the RCO may recommend a public education agency to undertake immediate action in an extraordinary situation when it is imperative to do so in order to protect the rights, health or safety of any student.
- 2.07(8)(c) The CDE, through the RCO, shall have sixty (60) calendar days from the date of receipt of the properly filed Complaint, to resolve the Complaint. The parties may mutually agree to extend the sixty (60) calendar day time limit in order to engage in voluntary mediation. Any extension of the Decision due date will be set by the RCO to a date certain as per section 2.07(7)(c), above.
- 2.07(9) Complaint Resolution:
- 2.07(9)(a) The RCO shall issue a written decision which details the findings of fact and conclusions of law unless the issues have been previously resolved. Based upon a finding that a public education agency has failed substantially to comply with state laws and regulations for the use of restraint, the RCO will, as part of the resolution of the Complaint, make recommendations to the public education agency of remedial actions that may be taken in order to come into compliance with applicable law and regulations, (e.g., technical assistance and training activities).
- 2.07(9)(b) The RCO shall have no authority to require corrective action by the public education agency, including but not limited to compensatory education for the child who is the subject of the complaint, monetary reimbursement or attorney fees.
- 2.07(9)(c) The decision of the RCO shall be final.

File: JKBA



(81213)

Disciplinary Removal from Classroom

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
4. 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.

File: JKBA-R



(7813)

Disciplinary Removal from Classroom

Staff, including administrators and teachers, must use their training, experience and authority to create schools and classes where effective learning is possible. Students should be able to attend school and classes as free as reasonably possible from unnecessary and unwarranted distraction and disruption. Such behavior interferes with the classroom environment and will not be tolerated.

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 teaching license or authorization 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 and/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 shall 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 Policy JK. A behavior plan shall be developed and implemented 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 may 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 regulation and accompanying policy and the applicable provisions of state and federal law. All teacher actions under this regulation shall be subject to evaluation and supervision by the teacher's supervisor as provided in Board policies and procedures.

File: JKD/JKE



Suspension/Expulsion of Students

(030920)

The Board of Education shall provide due process of law to students, 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.

For a student in preschool, kindergarten, first grade, or second grade, the Board and its designee(s) also shall determine that failure to remove the student from the school building through suspension and/or expulsion would create a safety threat that otherwise cannot be addressed, and shall document any alternative behavioral and disciplinary intervention that it employs before suspending or expelling the student.

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, peer counseling, 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 another intervention and alternative to suspension, the principal or designee may permit the student to remain in school with the consent of the student's teachers if the parent, guardian or legal custodian attends class with the student for a period of time specified by the suspending authority. If the parent, guardian or legal custodian 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. Students in third grade and higher grade levels: 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 third grade and higher grade levels in that 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.

Students in preschool through second grade: 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 preschool, kindergarten, first grade, or second grade in that school for not more than three school days on the grounds stated in C.R.S. 22-33-106.1 (2), unless the principal or designee determines that a longer period of suspension is necessary to resolve the safety threat or expulsion is mandatory under law (see JKD/JKE-E).

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 and 22-33-106.1 (3), for an additional 10 school days plus up to and including an additional 10 days necessary in order to conduct an expulsion hearing and/or present the matter to the Board, but the total period of suspension shall not exceed 25 school days.
3. 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 action taken. 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 or its designee 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 or its designee shall take appropriate disciplinary action, which may include suspension or expulsion, in accordance with this policy.

The Board or its designee 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.

File: JLCB

(72121)



Immunization of Students

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, the school's specific immunization and exemption rates for the measles, mumps, and rubella vaccine for the school's enrolled student population for the previous school year compared to the vaccinated children standard, and a statement that the school is required to collect and report the information, but and that the school does not control the school's specific immunization rates or establish the vaccinated children standard.

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 presented one of the following, as provided by law:

- a written authorization signed by a parent/guardian requesting local public health officials administer the immunizations;
- a certificate of medical exemption;
- a certificate of completion of the online education module administered by the Colorado Department of Public Health and Environment; or
- a certificate of nonmedical exemption.

Students who do not submit an up-to-date certificate of immunization, a written authorization signed by one parent/guardian requesting local public health officials to administer the immunizations, or present a valid certification of medical or nonmedical exemption will be suspended and/or expelled from school according to regulation JLCB-R.

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

Immunization of Students

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. Please refer to current standardized immunization documents and exemption forms developed and updated by the Colorado Department of Public Health and Environment.
2. A student shall be exempted from required immunizations only upon submission of:
 - a. certification from a licensed physician that the student's physical condition is such that immunization would endanger the child's life or health or is otherwise medically contraindicated due to other medical conditions.
 - b. a 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. a 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 a standard exemption form or a signed statement 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 school 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 a failure to comply with the immunization requirements, the school 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. Students age 18 and over or otherwise emancipated must be contacted directly rather than through their parents.

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 immunization 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)(h).

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 within 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.

Administering Medications to Students

School personnel shall not administer prescription or nonprescription medications to students unless appropriate administration cannot reasonably be accomplished outside of school hours.

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 the Board's policy on 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 only when the following requirements are met:

1. Medication shall be in the original properly labeled container. If it is a prescription medication, 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 from the student's parent/guardian to administer the medication to the student and either:
 - a. written permission to administer the medication from the student's health care practitioner with prescriptive authority under Colorado law; or
 - b. a standing medical order, if the medication is an over-the-counter medication such as Advil or Tylenol.
3. The parent/guardian shall be responsible for providing all medication to be administered to the student, unless it is an over-the-counter medication such as Advil or Tylenol.
4. The nonprescription medication is a product that has been approved by the federal Food and Drug Administration (FDA).

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 parent/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 policy JICH, Drug and Alcohol Use by Students and may subject the student to disciplinary consequences, including suspension and/or expulsion, in accordance with policy JICH.

Students with Food Allergies

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 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. 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 JLCD, Administration of Medications.

Staff training

The school nurse in consultation with the principal or equivalent school administrator 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/ delegation in the administration of epinephrine.

File: JLCDC

Medically Necessary Treatment in School Setting

(042423)

The provision of medically necessary treatment by students by private health-care specialists must be done in accordance with this policy. If medically necessary treatment requires administration of prescription and/or nonprescription medications to students, such administration must be in accordance with applicable law and the Board's policy concerning the administration of medications to students.

Definitions

For purposes of this policy, the following definitions apply:

1. "Medically necessary treatment" means treatment recommended or ordered by a Colorado licensed health-care provider acting within the scope of the health-care provider's license.
2. "Private health-care specialist" means a health-care provider who is licensed, certified, or otherwise authorized to provide health-care services in Colorado, including pediatric behavioral health treatment providers pursuant to the state medical assistance program, C.R.S. 25.5, articles 4, 5 and 6, an autism services providers who provide treatment pursuant to C.R.S. 10-16-104 (1.4). In no event may a school district or administrative unit staff member be recognized as a private health-care specialist for the purposes of this policy.

Notification of Rights

Parents and/or legal guardians of a student with disabilities will be notified that section 504 of the federal "Rehabilitation Act of 1973", 29 U.S.C. sec. 794, as amended, and Title II of the federal "Americans with Disabilities Act of 1990" provide rights and protections to students to access medically necessary treatment required by the student to have meaningful access to the benefits of a public education, or to attend school without risks to the student's health or safety due to the student's disabling medical condition.

Determination Whether Medically Necessary Treatment Must be Provided on School Premises

1. *Access to provide medically necessary treatment.* A private health-care specialist may be granted access to school or district property to provide medically necessary treatment in accordance with the determination of the student's IEP team or 504 team, and subject to the Board's policy and/or procedures concerning visitors to schools and all other applicable policies, and subject to the provisions of regulation JLCDC-R.
2. *Access to solely observe student or collaborate with school personnel.* A private health-care specialist may be granted access to school or district property to observe the student in the school setting or collaborate with school personnel regarding the student, without providing direct treatment to the student, in accordance with the determination of the student's IEP team or 504 team, and subject to the Board's policy and/or procedures concerning visitors to schools and all other applicable policies.

Permission to provide medically necessary treatment on school premises may be limited or revoked if the private health-care specialist violates this policy or JLCDC-R or demonstrates an inability to responsibly follow the requirements of the school district or administrative unit.

Appeal

If the IEP team or the 504 team determines that any medically necessary treatment is not required to be provided in the school setting pursuant to section 504 of the federal "Rehabilitation Act of 1973", 29 U.S.C. sec. 794, as amended, and/or Title II of the federal "Americans with Disabilities Act of 1990," the IEP team or 504 team will provide notice to the student's parents or legal guardian that the student has a right to appeal such determination. Such appeal must meet, at a minimum, the following requirements:

- a. The district will hold an appeal hearing within a reasonable time after it has received the requires for an appeal from the parent or student.
- b. The district will give the parent and student notice of the date, time, and place, reasonably in advance of the appeal hearing.
- c. The appeal hearing may be conducted by any individual, including an official of the district, who does not have a direct interest in the outcome of the hearing.
- d. The district will give the parent and student a full and fair opportunity to present evidence relevant to the issue whether the medically necessary treatment as ordered or recommended by a private health-care specialist is required to be provided in the school setting pursuant to section 504 of the federal "Rehabilitation Act of 1973", 29 U.S.C. sec. 794, as amended, and/or Title II of the federal "Americans with Disabilities Act of 1990." The parent or eligible student may, at their own expense, be assisted or represented by one or more individuals of his or her own choice, including an attorney.
- e. The district will make its decision in writing with a reasonable period of time after the appeal hearing.
- f. The decision must be based solely on the evidence presented at the hearing, and must include a summary of the evidence and the reasons for the decision.

Reporting

Each school shall designate a particular staff member to report the following to the superintendent or designee on a regular basis: the name of the requesting student, the student's request, and the outcome of the request, whether accepted or denied.

File: JLCDC-R

Authorizing Private Health-Care Specialists to Provide Medically Necessary Treatment in School Setting

(032723)

A private health-care specialist may be permitted to come onto the premises of any district school for the purposes of providing medically necessary treatment to a student if it has been determined by the student's IEP team or 504 team that such medically necessary treatment must be provided to the student within the school setting pursuant to section 504 of the federal "Rehabilitation Act of 1973", 29 U.S.C. sec. 794, as amended, and Title II of the federal "Americans with Disabilities Act of 1990."

Such treatment will not occur on school premises unless the following minimum requirements are met:

- 1) The district prepares, with the input of the private health-care specialist and the student's parent/guardian, a written plan that identifies the form, designated location(s), treatment plan for administration from the private health-care specialist, and any additional protocol regarding administration of medically necessary treatment to the student, which may include implementing a background check for the private health-care specialist, requirements that the private health-care specialist be appropriately supervised by the employing agency, or other protocol(s) if deemed necessary by the District. The written plan must be signed by the school administrator, the student (if capable), the private health-care specialist, and the student's parent/guardian.
- 2) The district provides a representative who has the authority and responsibility to work with the parents and private health-care specialist to schedule and/or cancel the private health-care specialist's visits to the school to provide medically necessary treatment.
- 3) The student's parent signs a parental consent form to any medically necessary treatment in the school setting.
- 4) The private health-care specialist signs a Confidentiality Affidavit certifying that they will comply with the Family Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act (HIPAA), and shall not read any documents or file materials pertaining to any student other than the qualifying student.
- 5) The private health-care specialist provides a certificate of insurance of General Liability, Auto Liability, and Professional Liability insurance. The General Liability and Auto Liability policies must name the district as an additional insured party.
- 6) The private health-care specialist provides proof of Colorado licensure.
- 7) The private health-care specialist signs an Assumption of Risk from waiving any and all claims and demands for relief concerning any physical or emotional harm, injury, or damage to the private health-care specialist caused by the student and/or any other student.

After the medically necessary treatment begins, the treatment is subject to the following conditions:

- 1) At all times, through implementation of this regulation and associated policy, all parties shall strive to avoid disruption to the learning environment of all students, avoid disruption to the student's access to special education services, and maintain the integrity of all students' instructional programs.
- 2) The private health-care specialist must give at least two weeks' advance notice of any additional visits to the school to work with the student that was not mentioned in the written plan
- 3) The district has sole discretion to deny any additional visit, or reschedule or modify any planned visit, if the visit to the school would interfere with the school's necessary activities, schedule of school staff, or scheduling priorities. Except in an emergency, the private health-care specialist and the student's parent/guardian will be given two weeks' advance notice of any rescheduling or modification of an existing visit.
- 4) The student's parent/guardian will be solely responsible for compensating the private health-care specialist for medically necessary treatment, and the district will have no financial obligation to the private health-care specialist for fees, expenses, or any other associated cost. If the private health-care specialist offers suggestions, professional observations, opinions, advice, or consultation to and for district staff, the district will not be obligated to pay any associated fee or charge.
- 5) The private health-care specialist must follow all applicable provisions of state and federal law and district policies during any time the private health-care specialist is on district premises.
- 6) The district will not exercise supervisory control over the content or nature of private health-care specialist's medically necessary treatment of the student. However, if requested, the district is entitled to advance discussion and review of the content and nature of such services in order to coordinate the medically necessary treatment with other classroom and school activities.
- 7) Permission for the private health-care specialist to administer medically necessary treatment to a student, and to remain on district property, may be limited or revoked if the private health-care specialist violates this policy or demonstrates an inability to responsibly follow this policy's parameters.

File: JLDAC



(111212)

Screening and Testing of Students (And Treatment of Mental Disorders)

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, 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 conditions of the student or the student's family
3. sexual 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
5. be construed to require parental notice or consent for assessments used to collect evidence of what a student knows and is able to do and to measure a student's academic progress toward attaining a content standard
6. limit the ability of the district to administer a suicide assessment or threat assessment.

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 which 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.

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.

File: JLDAC-E



(91007)

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

PPRA affords parents/guardians certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

1. 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):
 - a. Political affiliations or beliefs of the student or student's parent/guardian.
 - b. Mental or psychological problems of the student or student's family.
 - c. Sex behavior or attitudes.
 - d. Illegal, anti-social, self-incriminating, or demeaning behavior.
 - e. Critical appraisals of others with whom respondents have close family relationships.
 - f. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers.
 - g. Religious practices, affiliations, or beliefs of the student or parents/guardians.
 - h. Income, other than as required by law to determine program eligibility.
2. Receive notice and an opportunity to opt a student out of:
 - a. Any other protected information survey, regardless of funding.
 - b. 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.
 - c. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
3. Inspect, upon request and before administration or use:
 - a. Protected information surveys of students.
 - b. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes.
 - c. Instructional material used as part of the educational curriculum.

These rights transfer from the parents/guardians to a student who is 18 years old or an emancipated minor ("eligible student") under state law.

The district will develop and adopt policies, in consultation with parents/guardians, 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.

The district will directly notify parents/guardians of these policies at least annually at the start of each school year and after any substantive changes. The district will also directly notify, such as through U.S. Mail or electronic mail, parents/guardians of students who are scheduled to participate in the specific activities or surveys noted above and will provide an opportunity for the parent/guardian to opt his or her child out of participation in the specific activity or survey. The district will make this notification to parents/guardians 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/guardians 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/guardians will also be provided an opportunity to review any pertinent surveys.

Following is a list of the specific activities and surveys covered under this requirement:

1. Collection, disclosure, or use of personal information 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/guardians and eligible students 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. 20202-5901



File: JQ

(41219)

Student Fees, Fines and Charges

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:

Textbooks, library resources and other school property

Textbooks for students attending East Otero School District R-1 schools shall be provided on a loan basis.

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 amount of the loss. In computing a fine, 20 percent of the original cost of a book, library resource or other school property will be deducted for each year it has been used.

If the school district has made a reasonable effort (informing graduating students and their parent/guardian no later than April 15) 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. 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 participating in or attending a school-sponsored activity or program not within the academic portion of the educational program.

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/sponsor 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.

Waiver of fees

All fees, fines, and charges for academic purposes 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. Waivers do not apply for extra-curricular fees. Payment arrangements for extra-curricular fees may be discussed with the building principal.

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)(h).

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. Parents shall be informed of 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.

File: JRA/JRC



(31218)

Student Records/Release of Information on Students

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 student 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, 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 student 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 record.

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 or guardian ("parent") has the right to inspect and review his or her 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. If an eligible student is a dependent for federal income tax purposes, the parent is entitled to access his/her child's educational 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 records 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 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 education records or personally identifiable information contained therein without written consent of the parent or eligible student.

- 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 attorneys, auditors, consultants or therapists); 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 authorized 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. The district shall make a reasonable effort to notify the parent or eligible student prior to complying with the order or subpoena unless:
 - a. The court order or subpoena prohibits such notification; or
 - b. The parent is a party to a court proceeding involving child abuse and neglect or dependency matters and the court order is issued in the context of that proceeding.
- 11) The disclosure is to the Secretary of Agriculture, or authorized representative from the USDA Food and Nutrition Service or contractors acting on behalf of the USDA Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations and performance measurements of state and local educational agencies receiving funding or providing benefits of program(s) authorized under the National School Lunch Act or Child Nutrition Act.
- 12) The disclosure is to an agency caseworker or other representative of a state or local child welfare agency or tribal organization who has the right to access the student's case plan because such agency or organization is legally responsible, in accordance with applicable state or tribal law, for the care and protection of the student.
- 13) 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. 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 no later than September 17th or the following Monday if September 17th is a Saturday or Sunday.

"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.

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/guardian 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 Recruiter 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 eligible 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/guardian before the release of any non-directory information required for billing. To accomplish this, the district shall obtain permission using one or more of the following:

- include a consent form with the "start of school" information each fall.
- include a consent form with IEP packet materials.
- include a consent provision on the Medical Emergency form.

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 educational opportunities and higher education admission guidelines as required by state law.

Annual Notification of Rights

The school district shall notify parents and eligible students of their rights pursuant to this policy at the beginning of each academic year. For notice to parent 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 Rights 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.



**Student Records/Release of Information on Students
(Review, amendment and hearing procedures)**

In accordance with policy JRA/JRC, this regulation contains the procedures to follow when a parent or eligible student seeks to review or challenge the content of student 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 at a cost of \$.25 per page.

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.

1. The hearing shall be held in accordance with the following:
2. 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.
3. 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.
4. Parents or eligible student 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.
5. 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.
6. 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.
7. 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.



**Student Records/Release of Information on Students
(Notification to Parent and Student of Rights Concerning Student Education Records)**

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

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 in violation of the student's privacy rights. See JRA/JRC-R.

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.

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.

The right to refuse to permit the designation of any or all of the categories of directory information. See JRA/JRC.



Sharing of Student Records/Information between School District and State Agencies

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 Board 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 Educational Rights and Privacy Act ("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 administration and 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 and/or administration shall take appropriate disciplinary action, which may include suspension or expulsion, in accordance with the student code of conduct and related policies.

File: JIHB

Parking Lot Searches

(41414)

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 or 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 a search may also 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.

File: JLCG

Medicaid Reimbursement

(81400)

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 obtain permission using one or more of the following:

- include a consent form with the "start of school" information each fall.
- include a consent from with IEP packet materials.
- include a consent provision on the Medical Emergency form.

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 Services Plan (IFSP), Section 504 Accommodation Plan or any individual health services plan.

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

File: JS

Student Use of the Internet and Electronic Communications

(81213)

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 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 communication 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 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 material and information accessed/received through district 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 material 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 without express consent
- 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 device
- 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 technology, may be denied access to the Internet and/or district technology devices.

Safety

In the interest of student safety security, the district shall educate students about appropriate online behavior, including cyber bullying awareness and response, interacting on social networking sites and 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 and/or 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 and 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 students shall be supervised by staff while using the Internet or electronic communications. 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, 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, 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.

File: JS-E



(070319)

Student Use of the Internet and Electronic Communications Acceptable Use Rules and Procedures

East Otero School District R-1 is providing students/staff access to the district's electronic network. This network includes Internet access, computer services, computer equipment and related equipment for educational purposes. The purpose of this network is to assist in preparing students/staff for success in life and work in the 21st century by providing them with electronic access to a wide range of information and the ability to communicate with people throughout the world. This document contains the rules and procedures for students/staff acceptable use of the East Otero School District R-1 electronic network.

The East Otero School District R-1 Internet system is filtered as required by the Children's Internet Protection Act, but no filtering system is capable of blocking 100% of the inappropriate material available on the Internet. Parents should be warned that some material accessible via the Internet might contain items that are illegal, defamatory, inaccurate or potentially offensive to some people. While our intent is to make Internet access available to further educational goals and objectives, students may find ways to access other materials as well. Students or staff who abuse acceptable use, which includes, but is not limited to: copyrighted material, threatening or obscene material, pornography, gambling, and inappropriate language will be subject to discipline.

- The East Otero School District R-1 electronic network has been established for a limited educational purpose. The term "educational purpose" includes classroom activities, career development, and limited high-quality self-discovery activities.
- The East Otero School District R-1 electronic network has not been established as a public access service or a public forum. East Otero School District R-1 has the right to place reasonable restrictions on material that is accessed or posted throughout the network.
- Parent/guardian permission is required for all students under the age of 18. Access is a privilege - not a right.
- It is presumed that students/staff will honor this agreement they and their parent/guardian have signed. The district is not responsible for the actions of students/staff who violate them beyond the clarification of standards outlined in this policy.
- The district reserves the right to monitor all activity on this electronic network. Students/Staff will indemnify the district for any damage that is caused by students/staff inappropriate use of the network.
- Students/Staff are expected to follow the same rules, good manners and common sense guidelines that are used with other daily school activities in the use of the East Otero School District R-1 electronic network.

General Unacceptable Behavior

While utilizing any portion of the East Otero School District R-1 electronic network, unacceptable behaviors include, but are not limited to, the following:

- Students/Staff will not post information that, if acted upon, could cause damage or danger of disruption.
- Students/Staff will not engage in personal attacks, including prejudicial or discriminatory attacks.
- Students/Staff will not harass another person. Harassment is persistently acting in a manner that distresses or annoys another person. If a student/staff is told by a person to stop sending messages, they must stop.
- Students/Staff will not knowingly or recklessly post false or defamatory information about a person or organization.
- Students/Staff will not attempt to access blocked Internet sites.
- Students/Staff will not use criminal speech or speech in the course of committing a crime such as threats to the president, instructions on breaking into computer networks, child pornography, drug dealing, purchase of alcohol, gang activities, threats to an individual, etc.
- Students/Staff will not use speech that is inappropriate in an educational setting or violates district rules.
- Students/Staff will not abuse network resources such as sending chain letters or "spamming".

- Students/Staff will not display, access or send offensive messages or pictures.
- Students/Staff will not use the East Otero School District R-1 electronic network for commercial purposes. Students/Staff will not offer, provide, or purchase products or services through this network.
- Students/Staff will not use the East Otero School District R-1 electronic network for political lobbying. Students/Staff may use the system to communicate with elected representatives and to express their opinions on political issues in a reasonable manner.
- Students/Staff will not attempt to access non-instructional district systems, such as student information systems or business systems other than is required for their job.
- Students/Staff will not use any wired or wireless network (including third party internet service providers) with equipment brought from home without permission from the technology department. Example: The use of a home computer on the network or accessing the internet from any device not owned by the district.
- Students/Staff will not use district equipment, network, or credentials to threaten employees, or cause a disruption to the educational program.
- Students/Staff will not use the district equipment, network, or credentials to send or post electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.

E-Mail

- E-mail for students in the elementary grades will only be provided through a teacher or classroom e-mail account.
- Junior and Senior High School students may be provided with e-mail accounts with the approval of the building level administrator for specific educational projects or activities.
- Students will not establish or access Web-based e-mail accounts on commercial services through the district network unless such accounts have been approved for use by the individual school.
- Students/Staff will not repost a message that was sent to them privately without the permission of the person who sent them the message.
- Students/Staff will not post private information about another person.

World Wide Web

- Elementary School Level - Access to information for students on the Web will generally be limited to prescreened sites that are closely supervised by the teacher.
- Junior and High School Level - Access to information for students on the Web will generally be provided through prescreened sites and in a manner prescribed by their school.

Message Board/Usenet Groups

- The district may provide access to selected newsgroups that relate to subjects appropriate for educational use. Messages posted locally that are in violation of this policy will be removed. The district reserves the right to immediately terminate an account of a student or staff member who misuses the message boards or Usenet groups.

Real-time, Interactive Communication Areas (Note: Chat rooms are normally blocked)

- Students/Staff may use chat or instant messaging, but only under the direct supervision of a teacher or in a moderated environment that has been established to support educational activities and has been approved by the district or individual school and the technology department.

Web Sites

- Elementary and Junior High School Level - Group pictures without identification of individual students are permitted. Student work may be posted with either student first name only or other school-developed identifier (such as an alias or number).
- High School Level - Students may be identified by their full name with parental approval. Group or individual pictures of students with student identification are permitted with parental approval. Parents may elect to have their child assigned to the elementary/middle school level of use.
- Material placed on student Web pages are expected to meet academic standards of proper spelling, grammar and accuracy of information.
- Material (graphics, text, sound, etc.) that is the ownership of someone other than the student may not be used on Web sites unless formal permission has been obtained.
- All student Web pages should have a link back to the home page of the classroom, school or district, as appropriate.

Personal Safety

- Students will not share personal contact information about themselves or other people. Personal contact information includes address, telephone, school address, or work address.
- Elementary and Junior High School students will not disclose their full name or any other personal contact information for any purpose.
- High school students will not disclose personal contact information, except to education institutes for educational purposes, companies or other entities for career development purposes, or only with specific building administrative approval.
- Students will not agree to meet with someone they have met online.
- Students will promptly disclose to a teacher or other school employee any message received that is inappropriate or makes the student feel uncomfortable

System Security

- Students/Staff are responsible for their individual accounts and should take all reasonable precautions to prevent others from being able to use them. Under no condition should students/staff provide their password to another person other than technology department staff.
- Users will not attempt to access Web sites blocked by district policy, including the use of proxy services, software, or Web sites.
- Students/Staff must immediately notify a teacher or the system administrator if they have identified a possible security problem. Students/Staff should not go looking for security problems, because this may be construed as an illegal attempt to gain access.
- Students/Staff will not attempt to gain unauthorized access to any portion of the East Otero School District R-1 electronic network. This includes attempting to log in through another person's account or access another person's folders, work, or files. These actions may be construed as an illegal act, even if only for the purposes of "browsing".
- Students/Staff will not make deliberate attempts to disrupt the computer system or destroy data by spreading computer viruses or by any other means. These actions may be construed as an illegal act.
- Users will not use sniffing or remote access technology to monitor the network or other user's activity.

Software and Files

- Software is available to students/staff to be used as an educational resource. No student/staff may install, upload or download software without permission from the district technology department. Unauthorized software may be removed without notice.
- A student's account may be limited or terminated if a student intentionally misuses software on any district-owned equipment.
- Files stored on the network are treated in the same manner as other school storage areas, such as lockers. Routine maintenance and monitoring of the East Otero School District R-1 electronic network may lead to discovery that a student/staff member has violated this policy or the law. Students/Staff should not expect that files stored on district computers and/or servers are private or that they have any expectation of privacy.

Technology Hardware

- Hardware and peripherals are provided as tools for student use for educational purposes. Students/Staff are not permitted to relocate hardware, install peripherals or modify settings to equipment without the consent of the district technology department. Unauthorized equipment may be removed without notice.

Vandalism

- Any malicious attempt to harm or destroy data, the network, other network components connected to the network backbone, hardware or software will result in cancellation of network privileges. Disciplinary measures in compliance with the district's discipline code and policies will also be enforced.

Plagiarism and Copyright Infringement

- Students/Staff will not plagiarize works found on the Internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were the students'.
- District policies on copyright will govern the use of material accessed and used through the district system.
- Copyrighted material will not be placed on any system without the author's permission. Permission may be specified in the document, on the system or must be obtained directly from the author.

Videoconference

- Videoconferencing is a way that students can communicate with other students, speakers, museums, etc. from other parts of the country and the world. With videoconferencing equipment, students/staff can see, hear, and speak with other students, speakers, museum personnel, etc. in real-time.
- Videoconference sessions may be videotaped by district personnel or by a participating school involved in the exchange in order to share the experience within ours or their building or district.
- Students/Staff voices, physical presence, and participation in the videoconference are transmitted to participating sites during each session. Rules and procedures relative to acceptable use and behavior by students/staff apply during all videoconference sessions.

Student/Staff Rights

- Students/staffs' right to free speech applies to communication on the Internet. The East Otero School District R-1 electronic network is considered a limited forum, similar to the school newspaper, and therefore the district may restrict a student's/staffs' speech for valid educational reasons or as is otherwise allowed by law.

- An individual search will be conducted if there is reasonable suspicion that a student/staff has violated this policy or the law. The investigation will be reasonable and related to the suspected violation.

Due Process

- The district will cooperate as required by law with local, state, or federal officials in any investigation related to any illegal activities conducted through the district network.
- In the event there is an allegation that a student/staff has violated the district acceptable use rules and procedures, the student/staff member will be provided with a written notice of the alleged violation. An opportunity will be provided to present an explanation before a neutral administrator (or student/staff member will be provided with notice and an opportunity to be heard in the manner set forth in the disciplinary code).
- Disciplinary actions will be tailored to meet specific concerns related to the violation and to assist the student/staff member in gaining the self-discipline necessary to behave appropriately on an electronic network. Violations of the acceptable use regulation and policy may result in a loss of access as well as other disciplinary or legal action.
- If the violation also involves a violation of other provisions of other school rules, it will be handled in a manner described in the school rules. Additional restrictions may be placed on a student's /staff members use of his/her network account.

Limitation of Liability

- The district makes no guarantee that the functions or the services provided by or through the district network will be error-free or without defect. The district will not be responsible for any actual or consequential damages suffered, including but not limited to, loss of data or interruptions of service.
- The district is not responsible for the accuracy or quality of the information obtained through or stored on the network. The district will not be responsible for financial obligations arising through the unauthorized use of the network.

Consequences for Violations of these Acceptable Use Rules and Procedures

Violations of these rules and procedures may result in loss of access as well as other disciplinary or legal action. Students' violation of these rules and procedures shall be subject to the consequences as indicated within this document as well as other appropriate discipline, which includes but is not limited to:

- Out of School Suspension (Mandatory 1-5 days, dependent on severity of abuse) AND any of the following:
- Use of district network only under direct supervision
- Suspension of network privileges
- Revocation of network privileges
- Suspension of computer privileges
- Expulsion from school and/or
- Legal action and prosecution by the authorities

Staff violation of these rules and procedures shall be subject to appropriate discipline as set forth in district policy. The particular consequences for violations of these rules and procedures shall be determined by the school administrators. The superintendent or designee and/or the board shall determine when school expulsion and/or legal action or actions by the authorities are the appropriate course of action.

East Otero School District R-1 - La Junta Public Schools Student/Staff Information Technology Resources User Agreement and Parent Permission

To use the electronic information technology resources provided by the district, all students and staff must sign and return this form, and those under 18 years of age must obtain parental permission. I understand that the following is a non-exhaustive list of activities that will not be tolerated, and that violations may result in the loss of account privileges, as well as other disciplinary and/or legal action:

- Sending or displaying offensive messages or pictures
- Using obscene language
- Giving personal information, such as complete name, phone number, address, or identifiable photo, without permission from a teacher and parent or guardian
- Harassing, insulting or attacking others
- Damaging or modifying computers, computer systems or computer networks
- Violating copyright laws
- Using other's logins and/or passwords
- Trespassing in other's folders, work or files
- Intentionally wasting limited resources
- Attempting to circumvent network security.
- Employing the network for commercial purposes, financial gain, political lobbying, or fraud

Student/Staff User Agreement:

As a user of the La Junta Public Schools - East Otero R-1 School District electronic information technology resources, I hereby agree to comply with the statements and expectations outlined in this document and in the Acceptable Use Rules and Procedures, which I acknowledge receiving and reading, and to honor all relevant laws and restrictions. I also agree that East Otero School District R-1 reserves the right to access any information saved on District owned devices up to and including: Documents, Photos, Videos, Website Accounts that remained logged in (Facebook, Twitter, Instagram, etc.), or District maintained email accounts.

Student's/Staff's Full Name (Please Print): _____

Grade Level (K-8) or for HS Students Expected Year of Graduation _____

Parent's Name (if student is under age 18) _____

Street Address _____ City _____

Home Phone _____

Student's/Staff's Signature _____ Date _____

Parent/Guardian Permission:

All students are provided with access to district electronic information technology resources. In addition to accessing our district computer network, as the parent or legal guardian, I grant permission for the above named student to access the internet as well. This permission is granted for an indefinite period of time, unless otherwise requested. I understand that individuals and families may be held liable for violations of the Acceptable Use Rules and Procedures and District Policies. I understand that some materials on the internet may be objectionable, but I accept responsibility for guidance of Internet use - setting and conveying standards for my daughter or son to follow when selecting, sharing or exploring information and media.

Parent Name (Please Print) _____

Parent Signature _____ Date _____


File: IHAM-R



Health Education (Exemption Procedure)

1. Exemption will be granted from any portion of the health education curriculum on the grounds that the material taught is contrary to the religious beliefs and teachings of the student or the student's parent/guardian. Exemptions will be granted from a specific portion of the health education curriculum upon the request of the student's parent/guardian.
2. A request for exemption must be submitted in writing to the principal at least 10 school days in advance of instruction in that portion of the curriculum for which the exemption is requested.
3. The principal will confer with the teacher to determine the length of time a student will be exempt. The teacher will develop an alternative activity for which the student will receive credit.
4. The principal or teacher will inform the parent/guardian of disposition of the request within 5 school days of receipt of the request.

(12814)



School Closings and Cancellations

The superintendent or designee is empowered to close the schools or to dismiss them early in event of hazardous weather or other emergencies which threaten the safety, health or welfare of students or staff members. It is understood that the superintendent or designee will take such action only after consultation with appropriate authorities.

Parents, students and staff members shall be informed early in each school year how they shall be notified in event of emergency closings or early dismissals.

All staff members, except for teachers and personnel who work only on teacher work days or on student days, unless otherwise notified shall be required to report to work as soon as possible on emergency days.

In the event school is physically closed due to a public health emergency, all staff with direct student contact or associated with student attendance will not physically report to work unless notified otherwise. Instead, the district will utilize a form of remote instruction. Remote instruction allows students to access lessons provided by, and supported by, their regular teachers and allows students to continue their sequence of learning despite their inability to access facilities.

To ensure all students have the ability to access their lessons via remote instruction, the district will provide an electronic device and will keep a number of hotspots available for use.

During days of remote instruction, teachers will take attendance and monitor student participation through Infinite Campus. For situations that are out of the control of the student, days of remote instruction will be treated with the same exceptions as an excused absence in regard to work assigned.

The superintendent or their designee will develop administrative regulations or a plan for implementing this policy.



Student Transportation in Private Vehicles

A staff member may transport a student or group of students in a personal vehicle for school-related purposes only if the staff member has special permission covering the specific trip.

Special permission for providing student transportation may be granted in exceptional cases by the superintendent or designee. Exceptional cases shall be determined by review of the number of students traveling, relative costs, safety factors, distance and other factors, as determined necessary by the superintendent or designee.

Staff with special permission to use their own vehicles for transporting students must carry their own liability insurance coverage in compliance with state law. A copy of the staff member's driver's license, motor vehicle record, and insurance card shall be placed on file with the appropriate administrative official prior to the transportation of students. An authorization shall be signed by the staff member and district administrative official(s) acknowledging that the staff member's personal liability insurance may be used first for any necessary coverage.



School Meal Payments

The district is committed to ensuring that all students receive the nutrition they need to engage in active learning during the school day. In accordance with applicable federal guidance from the United States Department of Agriculture (USDA), this policy is intended to serve the purposes of meeting student needs, minimizing the identification of students with insufficient funds to pay for school meals and maintaining the fiscal integrity of the district's school food service account.

Student meal accounts and meal charges

Student meal accounts shall be established by the district.

Parents will be encouraged to pre-pay for students paying full or reduced price for meals. The district shall ensure that parents have access to at least one no-cost method of paying for meal services, such as the ability to pay in person

Students will be permitted to pay for meals and/or add funds to student accounts on the day of service.

If a student has money to purchase a full or reduced price meal at the time of the meal service, the student must be provided a meal. The student's money may not be used to repay previously unpaid charges if the student intended to use the money to purchase that day's meal.

Students paying full or reduced price for meals and who do not have money in their account or in hand to cover the cost of a meal at the time of service will be permitted to charge a meal. However, these students will be denied permission to charge à la carte or "extra" items, such as a second milk or additional entrée.

Students may charge up to twenty-five dollars (\$25.00) before the student will no longer be permitted to charge meals. Students at the meal charge maximum will be provided a complimentary replacement meal. Students will be limited to ten (10) complimentary replacement meals per school year.

Notification of low or negative balances

Notification of a low balance on a student account will be provided privately by a notification through Infinite Campus.

When notified of a low balance on a student account, parents will be reminded of this policy and the process for submitting applications for free or reduced price meal benefits. Parents will also be notified that any school meal debt accrued prior to the district's determination that the student is eligible for free or reduced lunch remains the parent's responsibility.

Notification of a negative balance on a student account will be provided by a lunch bill being sent home monthly. The balance will be due on the tenth of the next month. If payment is not received, parents must contact the district to set up a payment plan. If the balance remains unpaid and no attempt at payment has been received, the account will be turned over to a collection agency.

Collection of meal charge debt

In collecting debt, the district shall ensure that collection efforts do not have a negative impact on the students involved and instead focus on the adult(s) in the household responsible for providing funds for student meal purchases. The district will work with parents to establish repayment plans with payment levels and due dates appropriate to the household's particular circumstances.

For students with delinquent meal charges, the following process will be used to collect debt. Notification of a negative balance on a student account will be provided by a lunch bill being sent home monthly. The balance will be due on the tenth of the next month. If payment is not received, parents must contact the district to set up a payment plan. If the balance remains unpaid and no attempt at payment has been received, the account will be turned over to a collection agency.

Annual notice

The district shall notify students and their parents about this policy at the beginning of each school year. Notification shall also be provided to those students who transfer into the district during the school year. Information about this policy may also be included in student handbooks, student enrollment or registration packets and/or back-to-school packets and posted on district and school websites.

This policy will also be communicated to school and district-level staff responsible for this policy's enforcement, such as school food service staff responsible for collecting payment for meals at the point of service, staff involved in notifying families of low or negative balances, and staff involved in enforcing any other aspects of this policy.



Free and Reduced Price Food Services

The district shall take part as feasible in the National School Lunch and other food programs which may become available to insure that all students in the district receive proper nourishment.

The administration shall establish regarding participation in programs for free and reduced price meals and supplementary food in accordance with applicable state and federal law.

School Year/School Calendar/Instruction Time

Prior to the end of the school year, the Board shall determine the length of time during which district schools shall be in session during the next school year. The number of hours/days of planned teacher-student instruction and of teacher-student contact shall be consistent with the Board's definition of "actively engaged in the educational process," shall meet or exceed the requirements of state law and shall include a sufficient number of days to allow the superintendent flexibility in preparing a calendar that supports the district's educational objectives.

The Board defines "actively engaged in the educational process" as time when students are under the supervision of a licensed teacher, including:

- classroom instruction time
- individual student work time while at school, including study hall and library research
- school-related field trips
- assemblies
- individual student testing time
- the time between two classes or between a class and lunch period known as "passing time"

For the 2021-2022 school year, the definition of "actively engaged in the educational process" includes all of the above and remote learning as a result of COVID-19 health concerns for students provided under the supervision of a certified or licensed teacher. "Supervision of a certificated or licensed teacher" means a certificated or licensed educator, including teachers, counselors, paraprofessionals, or other certificated or licensed staff as assigned.

Synchronous and asynchronous teacher-pupil instruction and contact time may occur during remoted learning and may include the use of: district online program, assigned and prepared work packets, video conferencing, and pre-recorded classes. Teacher-pupil instruction and contact time may be tracked and counted for attendance purposes occur in the following ways:

1. Presence during in-person instruction;
2. Assignments completed at home;
3. Logging into the online learning platform;
4. Signing an online form attesting to work completed at home;
5. Student demonstration of learning; or
6. Responding to teacher emails or communication.

Attendance will be recorded at least once daily for days when instructional hours are provided, meaning a student is "actively engaged in the educational process."

"Actively engaged in the educational process" does not include:

- Lunch
- Time students spend before school waiting for classes to begin and time after the last class of the day, including waiting for the bus
- Recess time
- Teacher preparation time
- Passing periods between classes

Supervision by a licensed teacher shall not require that the teacher be in the student's physical presence at all times, but that the teacher is exercising direction and control over the nature of the student's activities.

The district will ensure that all students who are participating in remote learning will receive equitable instruction and services. Further, the district will ensure that, within the constraints of COVID-19, equitable and appropriate instruction will continue to be offered to those students requiring accommodations.

The district calendar for the next school year must be prepared by the superintendent and presented to the Board for approval in the spring of each year. The superintendent must consult with other districts in the area when preparing the calendar.

The Board authorizes the administration in each school building to issue a school calendar based on the district calendar and in accordance with this policy. Administrators are encouraged to examine instruction time and calendar issues in the context of supporting the district's educational objectives.

Calendars must include the dates for all staff in-service programs scheduled for the upcoming school year. The administration will allow public input from parents and teachers prior to scheduling the dates for staff in-service programs.

A copy of the calendar must be provided to all parents/guardians of students enrolled in district schools. Any change in the calendar except for emergency closings or other unforeseen circumstances must be preceded by adequate and timely notice of no less than 30 days.

Instruction through Online Courses

The Board of Education believes online education courses that are supplemental to the district's education program may serve as an effective tool to expand the educational opportunities for students at all levels of achievement. Online courses can enhance, supplement or enrich the existing curriculum and can also provide an alternative means of instruction.

The district's approved online education program will be part of the district's educational program to increase accessibility and flexibility in the delivery of instruction for students in grades seven through twelve.

To the extent practicable, an effort will be made to determine that online education courses made available to students are consistent with district instructional goals, aligned with Colorado's academic standards and taught by teachers licensed in Colorado. The administration is directed to periodically review instructional materials of online courses to ensure they meet program standards. Further, such courses must provide the opportunity for substantial, personal and timely interactions between district online administrator, students, and online instructors.

Application process

Students shall obtain the written approval of the principal or his/her designee before enrolling in an online course. To obtain permission, a student shall do the following:

- Complete prerequisites and provide teacher/counselor recommendations confirming that the student possesses the maturity level needed to function effectively in an online learning environment.
- Agree to adhere to district policies, procedures and rules, including but not limited to the district's policy on student use of the Internet.
- Agree to adhere to the district's attendance requirements.

Credit toward graduation requirements

High school students may earn academic credit to be applied toward graduation requirements by satisfactorily completing online courses. The principal and/or online administrator will determine the number of credits that may be applied toward graduation. A student may submit a written request explaining unusual circumstances that make it necessary for the student to take additional online courses to satisfy the district's graduation requirements.

Credit to satisfy graduation requirements from the district's online course may be earned only in the following circumstances:

1. The high school offers the course, but the student is unable to take it due to an unavoidable scheduling conflict;
2. The principal, with agreement from the student's teachers and parents/guardians, determines the student requires a differentiated or accelerated learning environment.

The school must receive an official record of the student's final grade in the online course before awarding credit toward graduation. Only online courses approved by the district shall be included on student transcripts.

East Otero School District will pay the tuition for the district's approved online courses taken during the academic year that will be used for credit to satisfy the district's graduation requirements. The district's payment of tuition could be limited per student per semester, unless the principal and/or online administrator has approved a student's request to take additional courses to satisfy the district's graduation requirements. There may be circumstances where a student is taking an online education course, such as during the summer to make up needed credit, where the student will be responsible for the tuition payment.

Expelled students

The district's online education program may be offered as a means to provide educational alternatives for expelled students. The district shall determine the amount of credit the student shall receive toward graduation for the online courses and the amount of tuition that will be paid by the district for these courses, in accordance with state law.

File: IKE



(071320)

Ensuring all Students Meet Standards Promotion, Retention and Acceleration of Students

The Board believes that early identification of students who are not making adequate progress toward achieving standards and effective intervention are crucial. In accordance with the Board's policy on grading and assessment systems, teachers shall assess the teaching and learning process on a continual basis. Teachers shall identify students early in the school year who are not making adequate progress toward achieving state and district academic standards and may choose to implement an individual learning plan for each such student.

The plan shall be developed by the student's teacher and/or other appropriate school staff with input from the student's parents/guardians. The student's parents/guardians shall agree in writing to support the plan. Neglect by the parents/guardians with regard to participating in development of the plan or agreeing to support the plan shall not affect implementation of the plan.

The plan shall address the specific learning needs of the student. Strategies designed to address those needs may include tutoring programs, after-school programs, summer school programs, other intensive programs and other proven strategies. Teachers are encouraged to collaborate on the development of such plans and to use a variety of strategies consistent with the student's learning style and needs.

Each semester, students with individual learning plans shall be reassessed in the content areas covered by the plan.

In order to provide the services necessary to support individual learning plans, the superintendent shall develop tutoring programs, after-school programs, summer school programs and other intensive programs in the content areas covered by state and district standards. The Board shall commit resources in the budget to support these programs.

As determined by the principal and in accordance with applicable law, students not meeting applicable state and district academic standards may not be promoted to the next grade level or allowed to graduate.

When students are retained in the same grade level, the teacher shall evaluate the previous teaching and learning experiences of the student, including whether specific aspects of the individual learning plan were appropriate and effective. Based on this evaluation the teacher shall modify the plan to ensure that the student's needs will be met and that the student's educational experience from the previous year is not merely repeated.

Retention due to social, emotional or physical immaturity shall be used on a very limited basis. After consulting with the student's parents/guardians, teacher and other professional staff and in accordance with applicable law, the principal shall determine whether it is in the best interests of the student to be retained for such reasons.

Decisions relative to promotion, retention, and/or attendance of an alternative educational setting shall be the responsibility of the professional staff. Parents shall be consulted and informed at an early date where retention is advisable and/or an alternative educational setting attendance is advisable.

Double promotion or skipping of grades shall be used in rare and extreme cases and then only with the unanimous approval of the teacher, principal and parents. Student data to be considered in these cases might include: prior achievement tests, proficiency tests, other related tests, and all student records.

Kindergarten through Grade Eight

The procedure to retain a student in kindergarten, first, second or third grade due to the student's significant reading deficiency shall be in accordance with the regulation on early literacy and reading comprehension and applicable law.

The professional staff shall make retention and/or alternative educational setting decisions. Written recommendations for any action as well as parent approvals and/or rejections shall be part of a student's record. Any student being considered for retention or an alternative educational setting needs a special conference with the teacher, student, parent and principal. Retention requires approval of the building principal.

Students who do not meet standards (CMAS categories of "Did Not Meet" or "Partially Met") in reading, writing, and mathematics will be considered for retention or referral to an alternative educational setting.

If summer school is recommended as the possible alternative to retention, tuition may be charged. Transportation will be furnished by the parent. Students who choose to attend shall demonstrate regular attendance and meaningful progress toward appropriate grade level standards.

High School

Classifications at La Junta High School shall be as follows:

Freshman	0 units
Sophomore	6 units
Junior	12 units
Senior	18 units

The number of years in school shall not be the basis for academic class standing. Advancement towards academic class standing and graduation is determined by the number of Carnegie units of credit earned. No credit is earned for classes failed. Failure in subjects may result in retention within the same academic level of classification.

In semester-only courses, only one-half credit shall be lost if the course is failed.

As a possible option to retention, students may attend summer school with the tuition charged to the student and transportation furnished by the parent. Summer school credit accepted by the school toward graduation may be used to replace any Carnegie units of credit failed. Prior approval of principal is required. Credits shall be labeled on transcripts as summer school (SS) "mathematics" or "English" or as appropriate.

A one-half summer school credit shall not replace a full credit that has been lost. A full unit of summer school credit, when offered, possibly may replace a lost credit if it meets sequence requirements.

A student may be retained and/or attend and satisfactorily complete an alternative educational setting if he/she has not reached a standard of achievement which would allow him/her to progress satisfactorily in the next grade. An alternative educational setting is defined as summer school, alternative school, and/or after-school mentoring, and tutoring. Students who do not meet standards in reading, writing, and mathematics will be considered for retention or referral to an alternative educational setting.

Special education students

Students currently served in a special education program may be retained only when recommended for such placement in the student's Individual Education Plan (IEP) by an appropriate staffing committee. Such staffing shall be completed by June 1 of any school year.

An appropriate staffing committee may refer students eligible for extended school year services and currently served in a special education program to an alternative educational setting through the IEP process. Other special education students not eligible for extended school year services may also attend an alternative educational setting. The referral process is the same as above.

LAU students

Students who are actively participating in the LAU program shall be retained only after a staffing by the LAU teacher, regular program teacher, language assessment coordinator and building principal.

Graduation Requirements

In pursuit of its mission to ensure that all students reach their learning potential and are prepared for postsecondary and career opportunities, the Board of Education has established the following graduation requirements beginning with the 2018-2019 ninth grade students.

To receive a high school diploma from the district, students must meet or exceed the district's academic standards and measures required by this policy. Students with disabilities must be provided access to all graduation pathways provided by this policy and must have the opportunity to earn a high school diploma from the district.

College and career readiness

The Colorado State Board of Education has adopted state graduation guidelines that identify college and career readiness measures in English (Reading, Writing, and Communication) and Math (Mathematics). The Board has selected its own measures from these state graduation guidelines.

Students must complete at least one English measure and one Math measure and meet or exceed the measure's corresponding cut score or criteria to demonstrate college and career readiness in English and Math. The Board's approved measures and cut scores are outlined in this policy's accompanying exhibit.

Exceptions to the Board's required measures and cut scores/criteria

If a student has demonstrated college and career readiness by completing an assessment or other measure that is not included in this policy's accompanying exhibit but is included in the state graduation guidelines, the principal or principal's designee may determine that such assessment or other measure is acceptable and meets the district's graduation requirements.

Courses/units of credit required for graduation

The requirements listed below show the progression of graduation requirements for La Junta Junior/Senior High School students in order to meet higher education recommendations.

(Ending with the Class of 2023)

REQUIREMENTS		GRADE			
COURSE TYPE	CREDITS	9 TH	10 TH	11 TH	12 TH
ENGLISH	4.0	1.0	1.0	1.0	1.0
MATH	3.0	1.0	1.0	1.0	
SCIENCE	3.0	1.0	1.0	1.0	
WORLD HISTORY	1.0	1.0			
GEOGRAPHY	.5		.5		
US HISTORY	1.0			1.0	
GOVERNMENT	.5				.5
HEALTH	.5	.5			
DIGITAL LITERACY	.5	.5			
PUBLIC SPEAKING	.5		.5		
PERSONAL FINANCE/ ECONOMICS	.5				.5
PHYSICAL EDUCATION (PE, Swimming, Weights, Women's Fitness)	1.5	MAY BE TAKEN 9 TH THROUGH 12 TH GRADE (SUGGESTED 9-10 TH GRADE)			
FINE/PRACTICAL ARTS	2.0	MAY BE TAKEN 9 TH THROUGH 12 TH GRADE			
Electives	Minimum of 5	MAY BE TAKEN 9 TH THROUGH 12 TH GRADE			
TOTALS	Required	23.5			
	Possible	28	7	7	7

(Ending with the Class of 2024)

REQUIREMENTS		GRADE			
COURSE TYPE	CREDITS	9 TH	10 TH	11 TH	12 TH
ENGLISH	4.0	1.0	1.0	1.0	1.0
MATH	3.0	1.0	1.0	1.0	
SCIENCE	3.0	1.0	1.0	1.0	
WORLD HISTORY	1.0	1.0			
GEOGRAPHY	.5		.5		
US HISTORY	1.0			1.0	
GOVERNMENT	.5				.5
HEALTH	.5	.5			
DIGITAL LITERACY	.5	.5			
PUBLIC SPEAKING	.5		.5		
PERSONAL FINANCE/ ECONOMICS	.5				.5
PHYSICAL EDUCATION (PE, Swimming, Weights, Women's Fitness)	1.5	MAY BE TAKEN 9 TH THROUGH 12 TH GRADE (SUGGESTED 9-10 TH GRADE)			
FINE/PRACTICAL ARTS	2.0	MAY BE TAKEN 9 TH THROUGH 12 TH GRADE			
Electives	Minimum of 5.5	MAY BE TAKEN 9 TH THROUGH 12 TH GRADE			
TOTALS	Required	24			
	Possible	28	7	7	7

(Ending with the Class of 2025)

REQUIREMENTS		GRADE			
COURSE TYPE	CREDITS	9 TH	10 TH	11 TH	12 TH
ENGLISH	4.0	1.0	1.0	1.0	1.0
MATH	3.0	1.0	1.0	1.0	
SCIENCE	3.0	1.0	1.0	1.0	
WORLD HISTORY	1.0	1.0			
GEOGRAPHY	.5		.5		
US HISTORY	1.0			1.0	
GOVERNMENT	.5				.5
HEALTH	.5	.5			
PUBLIC SPEAKING	.5		.5		
ECONOMICS/ PERSONAL FINANCE	.5				.5

PHYSICAL EDUCATION (PE, Swimming, Weights, Women's Fitness)		1.5	MAY BE TAKEN 9 TH THROUGH 12 TH GRADE (SUGGESTED 9-10 TH GRADE)			
FINE/PRACTICAL ARTS		2.0	MAY BE TAKEN 9 TH THROUGH 12 TH GRADE			
Electives		Minimum of 6	MAY BE TAKEN 9 TH THROUGH 12 TH GRADE			
TOTALS	Required	24	7	7	7	7
	Possible	28				

Credit from other institutions and home-based programs

Students entering from outside the district must meet the district's course requirements. The principal or principal's designee must determine whether credit toward course requirements will be granted for courses taken outside the district.

In accordance with applicable state law, college courses completed pursuant to the student's participation in a "dropout recovery program" must count as credit toward completion of the district's credit requirements.

Early graduation

The Board of Education believes that most students benefit from four years of high school experience and are encouraged not to graduate early. However, in some cases, students are ready for postsecondary education or other opportunities prior to completing four years of high school. Therefore, the superintendent or designee may grant permission to students wishing to graduate early, provided the student has met all district graduation requirements in accordance with this policy and its accompanying exhibit.



File: IKF-E

(111621)

Graduation Requirements

Measure	Cut Score/Criteria- English	Cut Score/Criteria- Math
Accuplacer assessment	Score of at least 62 on Reading Comprehension or 70 on sentence skills	Score of at least 61 on Elementary Algebra
Next Generation Accuplacer	Score of 241 on Reading or 236 on Writing	Score of 255 on Arithmetic (AR) or 230 on Quantitative Reasoning, Algebra and Statistics (QAS)
ACT assessment	Score of at least 18 on English.	Score of at least 19 on Math
ACT WorkKeys assessment	Score of at least 3 (Bronze level).	Score of at least 3 (Bronze level)
Advanced Placement (AP) exam	Score of at least 2.	Score of at least 2
Armed Services Vocational Aptitude Battery (ASVAB)	Score of at least 31 on the AFQT	Score of at least 31 on the AFQT
International Baccalaureate (IB) exam	Score of 4	Score of 4
SAT assessment	Score of at least 470 on English	Score of at least 500 on Math
Collaboratively-developed, standards-based performance assessment, as identified by the Board and approved by the state. (NOTE: Districts are waiting on further guidance from the Colorado State Board of Education and the Colorado Department of Education regarding standards-based assessments that meet this requirement and the cut scores/criteria for such assessments.)	Score will be added when further guidance is received.	Score will be added when further guidance is received.
Concurrent enrollment course, as approved by the district and included in the student's academic plan of study or Individualized Career and Academic Plan (ICAP).	Grade of at least a C	Grade of at least a C
Industry certificate	Receipt of the industry certificate and approval by the district-designated team.	
District capstone project	Completion of the district capstone project and approval by the district-designated team	Completion of the district capstone project and approval by the district-designated team

File: IMB (KEF)

(022691)

Teaching About Controversial Issues and Use of Controversial Materials

Teachers who have occasion while teaching classes to deal with topics, questions or issues that are controversial in nature shall adhere to the following guidelines:

1. The approach of the teacher to controversial topics shall be impartial and objective.
2. The treatment shall be suited to the maturity level of students and within the range of knowledge and competence of the teacher.
3. Study materials shall be available to students from which a reasonable amount of data pertaining to aspects of the issue may be obtained. Students should have access to all relevant materials that circulate freely in the community.
4. Instruction must be given in an atmosphere that is free of bias and prejudice. However, students must be free to express opinions on the issues without fear of jeopardizing their relations with the teacher or the school.
5. The discussion of controversial matters shall be for the purpose of having all sides of the question examined and not for the purpose of arriving at dogmatic pronouncements or of reaching agreement.

Any teacher who follows the established guidelines while engaged in teaching issues or topics that are controversial in nature shall be supported by the administration and the Board of Education when objections are raised.

It is recognized that citizens of the community have the right to object when convinced that prejudice and unfair presentations of topics and issues are being made by any teacher. However, to be given consideration, objections raised shall be specific, shall be reduced to writing, shall be signed by the person or person objecting and shall be submitted through the superintendent to the Board. Upon receipt of such written objections, the Board may arrange for a hearing with respect to the objections.



File: IMBB

(020993)

Exemptions from Required Instruction

If the religious belief and teachings of a student or his parents or legal guardian are contrary to the content of a school subject or to any part of a school activity, the student may be exempt from participation. To receive such an exemption, the parent or legal guardian must present a written request for exemption to the school principal, stating the conflict involved.

If a student is unable to participate in a physical education class, he must present to the school principal a statement from a physician stating the reason for his inability to participate.

A viable alternative for the assignment(s) shall be determined by the teacher, student and parent.

Exemptions from required instruction do not excuse a student from the total semester hours required for graduation.



File: JEA

(090913)

Compulsory Attendance Ages

Every child who has attained the age of six years on or before August 1st 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.

State law provides that court proceedings to compel compliance with the compulsory attendance law shall only be used as a last-resort approach for addressing the problem of truancy. The district shall have attempted other options for addressing truancy that employ best practices and research-based strategies to minimize the need for court action. Before initiating court proceedings, the district shall provide written notice to the student and his or her parent that the district will initiate court proceedings if the student does not comply with the compulsory attendance law.

File: JFC

(090913)

Student Withdrawal from School/Dropouts

The Board recognizes and promotes the importance of obtaining a high school diploma, as a diploma assists students to lead healthy and productive lives after graduation. Those youth who withdraw from school and prepare to face life with less than a high school education will have a much more difficult time entering the workforce or pursuing other goals. Therefore, the Board strongly urges every teacher, guidance counselor, principal, parent and citizen to exert all the influence which he/she can command to keep all district students in school through high school graduation.

Principals, teachers and guidance counselors are encouraged to make dropout prevention a priority through personal contacts with students and specialized programs. The goal is to enable those students who are considering dropping out or have dropped out of school to return and resume their programs with a minimum degree of disruption.

To emphasize the importance of a high school diploma and to encourage students to reconsider their decision to withdraw from school, the district shall notify the student's parent(s), legal guardian(s), or custodian in writing, when the district has knowledge that a student has dropped out of school. Such written notification shall be in accordance with this policy's accompanying regulation. For purposes of this policy, "dropout" shall mean any student included in the district's "student dropout rate," as defined by the rules of the State Board of Education.

File: JII

(121321)

Student Concerns, Complaints and Grievances

Decisions made by school personnel which students believe are unfair or in violation of pertinent Board policies or individual school rules may be appealed to the principal or a designated representative or by following the specific appeal process created for particular complaints.

Grievance and investigation procedures are available for students to receive prompt and equitable resolution of allegations of discriminatory actions on the basis of disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry, or need for special education services.

File: JII-R (31317)

Student Concerns, Complaints and Grievances

For the purposes of this procedure, the following categories of complaints are established:

1. Conduct of an individual
2. Departmental procedures
3. Building procedures
4. Board policies and regulations
5. Curricular programs
6. All others

If the student's complaint concerns unlawful discrimination or harassment, the process in district regulation AC-R, Nondiscrimination/Equal Opportunity (Complaint and Compliance Process) shall be followed.

Complaints must be initiated in writing, dated and signed by the complainant. Forms for this purpose are available in the principals' offices. Completed forms must be filed with the appropriate persons as follows:

1. Conduct of an individual: Building principal
2. Departmental procedures: Building principal
3. Building procedures: Building principal
4. Board policies and regulations: Building principal
5. All others: Building principal

File: JJJ

(030821)

Student Eligibility

Definitions

For purposes of this policy, the following definitions apply:

1. "Activity" means any extracurricular or interscholastic activity including but not limited to any academic, artistic, athletic, recreational or other related activity offered by La Junta High School and La Junta Junior High School.
2. "School of attendance" means the school in which a student is enrolled and attends classes.
3. "School district of residence" means the school district in which a student resides.
4. "School of participation" means a school in which the student participates in an activity but is not the student's school of attendance.

RATIONAL AND PURPOSE:

Students have a responsibility to themselves, their parents, school, and community. Participation in any school activity outside of instruction is not a right. Students are expected to conduct themselves in a manner which will reflect the high ideals and standards of senior and middle school students in our community. This code of conduct will require students to align their conduct and community expectations with the Mission and Vision of La Junta Schools.

Activities intended to provide academic or social-emotional support shall not be denied based on student eligibility. (Tutoring, homework club, LGBTQ support groups, peer counseling.)

Participation in activities

All students meeting eligibility requirements are eligible to participate in extracurricular activities at their school of attendance. Subject to the same eligibility requirements, the district shall allow students enrolled in any school (including charter schools, online education programs, nonpublic schools and home schools) to participate on an equal basis in any activity offered by the district that is not offered at a student's school of attendance.

If an activity is not available at a student's school of attendance, the student may choose to participate at another public or non-public school. Students must choose the school that offers the greatest number of activities in which the student wishes to participate.

If the original school of participation chosen does not offer an activity in which the student wishes to participate, the student may participate in activities at more than one school of participation during the same school year. It is the responsibility of the students and their parents/guardians to acquire all paperwork and contact the other school.

If an activity is not offered by either the district of attendance or the district of residence, the student may seek to participate in a contiguous school district or at the nearest public school that offers the activity even if the school is not in a contiguous school district. However, the district will choose the specific school of participation. When choosing, that district must choose the school that offers the greatest number of activities in which a student wishes to participate.

With regard to athletic teams, the school of participation may reserve slots for up to twice the number of starting positions on the team at each level of competition for students enrolled in the district. With regard to individual athletic activities, the school of participation may reserve slots for up to half the total number of team members at each level of competition for students enrolled in the district.

Students who are residents of the school district but who are being educated in a home school may participate provided they comply with all laws governing non-public home-based education. Students may only participate in one sport per season.

Eligibility requirements

To participate in any student activities at a school of attendance, a student shall meet all of the requirements imposed by the school of attendance.

To participate in activities at a school of participation students must comply with:

1. All eligibility requirements imposed by the school of participation. Those requirements include the following:
 - o The student must be a full-time junior high school student or a high school student who is enrolled in five classes and pass a minimum of 2.5 carnegie units per semester.
 - o La Junta Jr./Sr. High School, in accordance with the Colorado High School Activities Association, follows a semester and weekly eligibility check. Semester eligibility requires the student's grades from the preceding semester of attendance to be checked. The student must have passed a minimum of 2.5 carnegie units. During the current semester the student must be enrolled in five credits and pass a minimum of 2.5 carnegie units per semester. Students who have not met the academic requirements at the close of the semester may regain academic eligibility on the sixth Thursday following Labor Day for the first semester and on the Friday immediately prior to March 10th for the second semester. Weekly eligibility will include that a student may not fail one class in consecutive weeks or may not be failing two or more classes in the same week. Weekly eligibility is updated every Monday. If a student is academically ineligible for the week, that remains in effect from Monday to the following Monday. Incoming 7th grade and 9th grade students are exempt from the previous semester grades for their first semester due to school of choice as incoming Freshmen.
 - o The student must be in attendance at school for the entire school day in order to participate in any school sponsored event, game, or activity and in order to practice they must be in attendance at least half of that day. In cases of emergency or extenuating circumstances, the principal or his designee may grant an exception to this limitation.
2. The same responsibilities and standards of behavior, including related classroom and practice requirements that apply to enrolled students.

If a student has not met all of the eligibility requirements or if the student would have become ineligible to participate at a school, the student cannot gain or regain eligibility by applying to participate in activities at another school. Any penalties assessed to the student must first be paid at the school of attendance or participation before regaining eligibility to participate at another school.

Transfer students

If a student transfers enrollment to another school without an accompanying change of domicile by the student's parent/guardian, the student's eligibility to participate is determined by the district's eligibility requirements and Colorado High School Activities Association (CHSAA) rules.

Participation fee

Except as otherwise prohibited by state law, non-enrolled students participating in district activities shall pay the same fee charged enrolled students for participation in the activity.

Athletic Fees for Junior/Senior High School:

1. A \$30 athletic fee will be charged for each sport that an athlete participates in, with a cap of \$75 if involved in 3 sports.
2. A family will be charged \$25 per sport for the first child. There will be a \$100 family cap with children in two or more sports.
3. Out of District student fee will be \$50.00 per sport.
4. The athletic fee for all participating athletes for each sport must be collected prior to an athlete's participation.
5. Athletes who have a financial hardship may apply for a waiver of this fee by submitting a written request to the Athletic Director. If approved, the Athletic Director will present alternatives to the fee schedule after reviewing the individual circumstances.
6. A full refund will be made to the athlete who is cut from the team.

(NOTE: District may charge non-enrolled students up to 150% of the fee charged enrolled students. The district cannot charge a participation fee to any student in out-of-home placements, as that term is defined by C.R.S. 22-32-138(1)(e).)

CHSAA requirements

Eligibility requirements as published by the Colorado High School Activities Association (CHSAA) shall be observed by all students at the junior and senior high school level. Additional eligibility requirements may be imposed by the school district for both high school and junior high students. Such eligibility requirements shall include good citizenship, acceptable academic standing, parental permission and good health (sports only). Any student participating in a CHSAA sanctioned activity must meet the following eligibility requirements:

- o A physical examination statement must be turned into the school before being allowed to participate in a sport.

Have Emergency Treatment Form, District Parent Permission, Athletic Insurance Waiver, and Acknowledgement and Contract forms filled out, signed, and on file with the school before being allowed to practice in a sport or activity. Athletic fees must be paid prior to the first day of practice.

RULES OF CONDUCT

A. The following conduct, regardless of whether it constitutes a single incident or a pattern of activity, shall be grounds for disciplinary action.

1. Use, *possession, sale, and/or exchange, regardless of the quantity, of alcoholic beverages, illegal controlled substances, and drug paraphernalia as defined by CRS 12-22 (e.g. hallucinogens, marijuana, opioids, anabolic steroids, etc.) and tobacco (in any form).

*A student will be in violation of this policy when the student is in open use and possession of controlled substances, visibly intoxicated or under the influence of some form of chemical, or in attendance (without parental accompaniment) at any activity where alcohol and/or drugs are accessible and are being used by those in attendance.

Students involved in any activity sponsored by La Junta High School or La Junta Junior High School placing themselves (whether by coincidence or voluntarily) in the following situations shall be considered in violation of such policy:

- a. on person
- b. in a vehicle
- c. in attendance (without parental accompaniment) at any activity where alcohol and/or controlled substances are accessible and are being used by those in attendance, unless such activity is held at a place licensed to serve alcohol.

Guilt by association does not apply to tobacco.

2. Willful destruction, damage, or defacing of any school property or equipment.
3. Behavior on or off school property which is detrimental to the welfare, safety, or morals of others.
4. Serious violations in or on school property, including district vehicles, for which suspension or expulsion shall be mandatory. Refer to Policy JKD-JKE-E.
5. Any other infraction in violation of Policy JKD-JKE-E.

B. PENALTIES for Rule Violations are stated in Policy JJJ-R-1.

C. Any violation of the rules of conduct may result in the revoking of any awards for which the participant might otherwise be eligible.

D. The District and Administration reserve the right to bypass any or all of the levels of penalties and impose any or all of the more serious levels of penalties if the seriousness of the offense warrants such action.

E. Any observed incident must be reported to school authorities within ten calendar days of the incident to be considered a valid and legitimate charge. An exception to this is where an incident is not reported to school officials but the student participant is convicted of a criminal or juvenile offense related to any of the rules of conduct affected by this policy.

F. Further rules and guides for participation in extracurricular activities will be handled by activity sponsors as prescribed by CHSAA, East Otero School District, and the La Junta Junior/Senior High School handbook.

Student participation in an activity through any amateur association or league that is not a member of Colorado High School Activities Association (CHSAA) shall not prevent the student from participating or affect eligibility to participate in the same activity at any school as long as the student has the express written permission of the principal at the school of participation, the student's class attendance is not comprised and the student is in good academic standing.

Appeal

Any student who is sanctioned or is found by the school, school district or CHSAA to be ineligible to participate in any extra-curricular activity may appeal the sanction or finding. Students may not appeal sanctions for ejection from the activity as a result of violating Policy JICDA.

As an alternative, a student may bypass the appeal process by filing a request for binding arbitration with the school district or entity issuing the sanction or finding. The cost associated with the arbitration procedure shall be shared according to state law. The parties shall select an arbitrator and proceed as provided in state law.

Students may not appeal a sponsor's/coach's team/organization rules that are uniformly applied to all team members.



File: JLC (11110)

Student Health Services and Records

The purpose of the school health program shall be to supplement the efforts and guidance of parents/guardians to raise student awareness of the benefits of regular health care.

The objectives of the school health program are:

1. To promote good health habits among students.
2. To stimulate a sanitary, safe and healthful environment in school.
3. To assist in the identification and referral to appropriate health care providers for medical, psychological and physical needs.

Health Records

Health records shall be maintained by the nursing staff and kept in a separate and secure health file in the school health office.

Access to the health files shall be limited to only those school personnel who have a specific and legitimate educational interest in the information for use in furthering a student's academic achievement or maintaining a safe and orderly teaching environment.

The nursing staff shall maintain a log showing who has been given access, when access occurred and to which specific records.

Annual Screening Programs

The sight and hearing of all students in kindergarten, first, second, third, fifth, seventh and ninth grades or students in comparable age groups referred for testing shall be tested during the school year by the school nurse, teacher, principal or other qualified person authorized by the school district, as required by law. These screenings shall not be required of any student whose parent/guardian objects on religious or personal grounds.

The parents or guardians shall be informed when a deficiency is found.

Dental Health

The school district shall participate in programs to encourage good dental health including instruction, dental examination clinics when available and referral to agencies which can provide aid for those in need.

Communicable Diseases

Students showing symptoms of a communicable disease, an infectious condition, or illness or disability of a serious nature shall be referred to the school nurse. The school nurse shall report to the principal for appropriate action the names of students with communicable diseases.



File: JLCDB

(121321)

Administration of Medical Marijuana to Qualified Students

The Board strives to honor families' private medical decisions while ensuring a learning environment free of disruption. To accomplish these goals, the district restricts the administration of medications, including medical marijuana, during school hours unless administration cannot reasonably be accomplished outside of school hours.

Administration of medical marijuana to qualified students must be in accordance with this policy. Administration of all other prescription and nonprescription medications to students shall be in accordance with applicable law and the Board's policy concerning the administration of medications to students.

Definitions

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

1. "Designated location" means a location identified in writing by the school district in its sole discretion and may include a location on the grounds of the school in which the student is enrolled, upon a school bus in Colorado, or at a school sponsored event in Colorado.
2. "Medical marijuana" means a cannabis product with a delta-9 tetrahydrocannabinol (THC) concentration great than 0.3 percent.
3. "Permissible form of medical marijuana" means nonsmokeable products such as oils, tinctures, edible products or lotions that can be administered and fully ingested or absorbed in a short period of time. Patches and other forms of administration that continue to deliver medical marijuana to a qualified student while at school may be appropriate for students who receive ongoing adult assistance or on a case-by-case basis as determined by the district when adequate protections against misuse may be made. Forms of medical marijuana not included in this definition may be proposed by the qualified student's primary caregiver to the superintendent, who may authorize such a request after consultation with appropriate medical personnel chosen by the district.
4. "Primary caregiver" means the qualified student's parent, guardian or other responsible adult over eighteen years of age who is identified by the student's parent/guardian as the qualified student's primary caregiver. In no event may another student or a staff member be recognized as a primary caregiver, unless the staff member is the student's parent/guardian. Any primary caregiver seeking access to school or district property, a school bus or school-sponsored event for purposes of this policy must comply with the Board's policy and/or procedures concerning visitors to schools and all other applicable policies.
5. "Qualified student" means a student who holds a valid recommendation for medical marijuana from a licensed physician and is registered with Colorado Department of Public Health and Environment) for the use of medical marijuana and for whom the administration of medical marijuana cannot reasonably be accomplished outside of school hours.

Permissible administration of medical marijuana to a qualified student by a primary caregiver

A qualified student's primary caregiver may administer a permissible form of medical marijuana to a qualified student in a designated location if all of the following parameters are met:

1. The qualified student's parent/guardian has provided the school with a copy of the student's valid recommendation for medical marijuana from a licensed physician and valid registration from the state of Colorado authorizing the student to receive medical marijuana;
2. The qualified student's parent/guardian signs a written acknowledgement assuming all responsibility for the provision, administration, maintenance and use of medical marijuana under state law, and releases the district from liability for any injury that occurs pursuant to this policy;
3. The qualified student's parent/guardian or primary caregiver must be responsible for providing the permissible form of medical marijuana to be administered to the qualified student;
4. The district determines, in its sole discretion, that a location and a method of administration of a permissible form of medical marijuana are available that do not create risk of disruption to the educational environment or exposure to other students;
5. Either the district determines, in its sole discretion, the location of a locked storage container to store the qualified student's medical marijuana that does not significantly delay access to or the administration of the medical marijuana in a medical emergency, or after administering the permissible form of medical marijuana to the qualified student, the student's primary caregiver must remove any remaining medical marijuana from the grounds of the school, district, school bus or school sponsored event; and

6. The district prepares, with the input of the qualified student's parent/guardian, a written plan that identifies the form, designated location(s), instructions or treatment plan for administration from one of the student's recommending physicians, and any additional protocol regarding administration of a permissible form of medical marijuana to the qualified student. The written plan must be signed by the school administrator, the qualified student (if capable) and the qualified student's parent/guardian.

Permissible administration of medical marijuana to a qualified student by school personnel

School personnel may volunteer to store, administer, or assist in the administration of medical marijuana to a qualified student in a designated location if the following parameters are met:

1. The qualified student's parent/guardian has provided the school with a copy of the student's valid recommendation for medical marijuana from a licensed physician and valid registration from the state of Colorado authorizing the student to receive medical marijuana;
2. The qualified student's parent/guardian signs a written acknowledgement granting permission for the school personnel who volunteer to store, administer, or assist in the administration of medical marijuana under state law, and releases the district from liability for any injury that occurs pursuant to this policy;
3. The qualified student's parent/guardian or primary caregiver must be responsible for providing the permissible form of medical marijuana to be administered to the qualified student;
4. The district determines, in its sole discretion, that a location and a method of administration of a permissible form of medical marijuana are available that do not create risk of disruption to the educational environment or exposure to other student's;
5. The district determines, in its sole discretion, the location of a locked storage container to store the qualified student's medical marijuana that does not significantly delay access to or the administration of the medical marijuana in a medical emergency; and
6. The district prepares, with the input of the qualified student's parent/guardian, a written plan that identifies the form, designated location(s), instructions or treatment plan for administration from one of the student's recommending physicians, and any additional protocol regarding administration of a permissible form of medical marijuana to the qualified student. The written plan must be signed by the school administrator, the school personnel who volunteer to store, administer, or assist in the administration of the medical marijuana, the qualified student (if capable) and the qualified student's parent/guardian.

Additional parameters

This policy conveys no right to any student or to the student's parents/guardians or other primary caregiver to demand access to any general or particular location on school or district property, a school bus or at a school-sponsored event to administer medical marijuana.

This policy does not apply to school grounds, school buses or school-sponsored events located on federal property or any other location that prohibits marijuana on its property.

Permission to administer medical marijuana to a qualified student may be limited or revoked if the qualified student and/or the student's primary caregiver violates this policy or demonstrates an inability to responsibly follow this policy's parameters.

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

If the federal government indicates that the district's federal funds are jeopardized by this policy, the Board declares that this policy must be suspended immediately and that the administration of any form of medical marijuana to qualified students on school property, on a school bus or at a school-sponsored event must not be permitted. The district must post notice of such policy suspension and prohibition in a conspicuous place on its website.

File: JLF

Reporting Child Abuse/Child Protection

(120902)

It is the policy of the Board of Education that this school district complies with the Child Protection Act.

To that end, any school official or employee who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect, as defined by statute, shall immediately upon receiving such information report or cause a report to be made to the Otero County Department of Social Services or the La Junta Police Department. A person who reports child abuse or neglect in good faith is immune from civil or criminal liability.

Reports of child abuse or neglect, the name and address of the child, family or informant or any other identifying information in the report shall be confidential and shall not be public information.

The Board shall provide periodic inservice programs for all teachers in order to provide them with information about the Child Protection act and appropriate legislation, to assist them in recognizing and reporting instances of child abuse and to instruct them on how to assist victims and their families.

School employees and officials shall not contact the child's family or any other persons to determine the cause of the suspected abuse or neglect. It is not the responsibility of the school official or employee to prove that the child has been abused or neglected.

The superintendent shall submit such procedures as are necessary to the Board for approval to accomplish the intent of this policy.

File: KBBA

Custodial and Noncustodial Parent Rights and Responsibilities

(41414)

School officials shall presume that the parent who enrolls a student in school is the student's custodial parent. Unless a currently effective Colorado court order specifies otherwise, the custodial parent shall be the one whom the school district holds responsible for the education and welfare of the student. Where the court order specifies that the parents shall share custody and jointly make decisions relative to the care and education of their child, school officials shall consult with both parents regarding educational matters affecting the child. Where the parents disagree in such matters and the court order does not provide a mechanism for resolving their differences, school officials shall follow the instructions of the parent with whom the child primarily resides with during a normal school week.

If the rights of a noncustodial parent are restricted by a Colorado court order, the custodial parent shall provide the school with a certified copy of the currently effective court order curtailing these rights. Unless informed through the submission of such a court order, the school district assumes there are no restrictions regarding the noncustodial parent's right to be kept informed of the student's school progress and activities, including the right to access the student's educational records. Unless otherwise provided by applicable law or court order, education conferences with a noncustodial parent shall be permitted only upon the written consent of the custodial parent.

The student shall not be permitted to visit with or be released to anyone, including the noncustodial parent, without the approval of the custodial parent.

File: KE

Public Concerns and Complaints

(61019)

Constructive criticism motivated by a sincere desire to improve the quality of the educational program or to equip the schools to do their tasks more effectively is welcomed by the Board of Education.

Public complaints made pursuant to this policy may involve personnel or district operations. Such complaints shall be processed in accordance with this policy's accompanying regulation. Public complaints concerning unlawful discrimination, instructional resources or teaching methods shall be processed according to applicable Board policy, as listed in this policy's cross references.

This policy and accompanying regulation shall not apply to parent/guardian concerns or complaints filed on behalf of a student or concerning a student. If a parent/guardian files a complaint, the district shall follow applicable Board policy in responding to the complaint, as listed in this policy's cross references.

The Board relies on district staff to resolve concerns raised by the public and believes that complaints are best handled and resolved as close to their origin as possible. Therefore, whenever a complaint is made directly to the Board of an individual Board member, it shall be referred to the superintendent, who shall process the complaint in accordance with this policy's accompanying regulation.

File: KE-R



(051119)

Public Concerns and Complaints

In accordance with this regulation's accompanying policy, this regulation contains the procedures to follow when a member of the public files a formal complaint against the district.

Any member of the public may file a formal complaint within the same school year that the incident or concern that is the subject of the complaint occurred. Any complaint filed outside of this timeline shall not be considered.

If the public complaint does not involve personnel and the most direct staff member involved is the superintendent, the person may request to start at Step 3 of the following process.

The public complaint process shall be as follows:

- Step 1. Generally, the first step is to discuss the complaint or concern with the district employee responsible for the event or action that forms the basis for the complaint.
- Step 2. If the complaint is not resolved at Step 1, the person may initiate a formal complaint that shall be written, dated and signed. The person may then request review of the formal complaint by submitting it to the district employee having direct administrative or supervisory responsibility over the work of the employee involved in the complaint. Such complaint shall be filed within 20 working days of discussing the complaint pursuant to Step 1. If the supervisor or administrator determines that the complaint cannot be resolved informally, the supervisor or administrator shall render a written decision within 10 working days of receipt of the complaint.
- Step 3. If the complaint is not resolved at Step 2, the person may request review of the formal complaint by submitting it to the superintendent within 10 working days of receipt of the decision in Step 2. If the superintendent or superintendent's designee determines that the complaint needs further responses, the superintendent shall render a written decision within 10 working days of receipt of the complaint and any written decision from Step 2.
- Step 4. If the complaint is not resolved at Step 3, the person may request review of the formal complaint by submitting a written request to the Board of Education within 10 working days of receipt of the decision in Step 3.
- Matters referred to the Board shall be specific in terms of the action desired. The person shall submit the request for Board review to the superintendent. The Board shall not consider or act on complaints that have not been explored at the appropriate administrative level. If the Board agrees to review the complaint by adding it to a Board meeting agenda, the Board's decision shall be made in writing within 15 working days after the Board's review. All decisions and findings by the Board shall be final.



File: KEC

(090985)

Public Concerns/Complaints about Instructional Resources

Procedures which apply to the selection of books and library materials by the professional staff shall be applied to any review of library collections. Books and materials judged to be unacceptable on the basis of the criteria for selection may be recommended to the principal for removal from the library.

Questions or objections regarding the value, relevancy, suitability or use of library books or materials shall be reduced to writing and specific questions and objections shall be noted together with the reasons.

A board of review which shall include a librarian, school administrator, member of the Board of Education, a citizen at large and the school attorney shall be established by the Board. The board of review shall consider all questions and objections concerning library books and materials, shall make a record of its hearings and deliberations, and shall make recommendations to the Board of Education regarding all questions and objections brought before it.

The Board of Education shall receive and consider the recommendations of the board of review before making final decisions regarding questions and objections to library books and materials.



File: KI

(082020)

Visitors to Schools

The district will make reasonable efforts to accommodate requests to visit the district's schools, yet also recognize concerns for the welfare of students. Therefore, the district limits visitors to:

- 1) Parents/guardians of current students;
- 2) Other family members of current students who are approved by the student's parent/guardian; and
- 3) Board members and other persons invited by the district for official business purposes.

To ensure visitors do not disrupt the educational process or other school operations and that no unauthorized persons enter schools, all visitors must report to the school office immediately when entering a school. Authorized visitors may: 1) be required to sign in and out; 2) be given name-tags/ID badges to wear identifying themselves as visitors; and 3) be accompanied by a district employee for some or all of the visit. School administrators may approve additional building procedures pertaining to school visitors to preserve a proper and safe learning environment.

Any unauthorized person on school property may be reported to the principal or superintendent and asked to leave. Unauthorized persons shall not loiter on school property at any time. Law enforcement authorities may be called to enforce this policy provision.

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 health, safety, efficient school operations, maintenance of a proper educational environment, or failure to comply with this policy.

East Otero School District R-1 does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups, employment in or in the benefits. A lack of English language skills will not be a barrier to participation. The following person has been designated to handle inquiries regarding the district's compliance:

Richard Romero
301 Raton Avenue
La Junta, Colorado 81050
719-384-6900

For further information on notice of non-discrimination, visit <http://wdcrobcop01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the office that serves your area, or call 1-800-421-3481.