

## 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.

Student removal from class is a serious measure and should not be imposed in an arbitrary, casual or inconsistent manner. Behavioral expectations are always more constructive and more likely to be followed when they are communicated as clearly as possible to students. However, it is neither possible nor necessary to specify every type of improper or inappropriate behavior, or every circumstance that would justify removal from class under this policy. Teachers are expected to exercise their best professional judgment in deciding whether it is appropriate to remove a student from class in any particular circumstance. All instances of formal removal from class shall be documented.

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

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

A student with a disability may be removed from class and placed in an alternative educational setting only to the extent authorized by state and federal laws and regulations.

Removal from class under this policy does not prohibit the district from pursuing or implementing additional disciplinary measures, including but not limited to detentions, suspensions, or expulsions for the conduct or behavior for which the student was removed.

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.

## 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.

For purposes of this policy and procedure, a "class" includes regular classes, special classes, resource room sessions, labs, study halls, library time, school assemblies and other such learning opportunities taught or supervised by a teacher. "Teacher" means a person holding a license issued by the state who is employed to instruct, direct or supervise the instructional program.

### 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. It should be noted that building administrators make decisions regarding suspension and the superintendent makes recommendations for expulsion. Thus, a teacher's decision to remove a student from class for behavior covered by district policies regarding suspension and expulsion may, but does not necessarily, mean that the student will also be suspended or expelled.
2. Disruptive, dangerous, or unruly behavior. The following behavior, by way of example and without limitation, may be determined to be disruptive, dangerous, or unruly:

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

#### **Procedures to be followed for formally removing a student from class**

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

1. Instruct the student to go to the main office. Unless prevented by the immediate circumstances, the teacher shall send a note with the student stating the reason for the student's removal and call the building principal's office.
2. Obtain coverage for the class and escort the student to the main school office. The teacher shall inform the building principal or designee of the reason for the student's removal from class.

3. Seek assistance from the main school office or other available staff. When assistance arrives, the teacher or the other staff member should accompany the student to the main office. The principal or designee shall be informed of the reason for the student's removal.

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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 after the teacher formally removes a student from class for the second time.

## Removal for remainder of term

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

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

## Review by principal

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

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

ADOPTED December 18, 2000

## Suspension/Expulsion of Students

The Board of Education shall provide due process of law to students, parents/guardians and school personnel through written procedures consistent with law for the suspension or expulsion of students and the denial of admission.

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

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

### Delegation of authority

1. The Board of Education delegates to the administration (principal or superintendent) of the school district or to a person designated in writing by the administration (principal or superintendent) the power to suspend a student 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 (see exhibit coded JKD/JKE-E), but the total period of suspension shall not exceed 25 school days.
2. The Board of Education delegates to the superintendent of schools the authority to suspend a student, in accordance with C.R.S. 22-33-105, for an additional 10 school days plus up to and including an additional 10 days necessary in order to present the matter to the Board.
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 to determine whether the student has exhibited behavior that is detrimental to the safety, welfare, and morals of the other students or school personnel and whether educating the student in the school may disrupt the learning environment in the school, provide a negative example for other students, or create a dangerous and unsafe environment for students, teachers, and other school personnel. The Board shall take appropriate disciplinary action, which may include suspension or expulsion, in accordance with the student code of conduct and related policies.

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

#### **Annual reports**

The Board annually shall report to the State Board of Education the number of students expelled from district schools for disciplinary reasons or for failure to submit certificates of immunization. Expelled students shall not be included in calculating the dropout rate for the school or the district.

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

If a student is expelled for the remainder of the school year and is not receiving educational services through the district pursuant to policy JKF\*, the school district shall contact the expelled student's parent or guardian at least once every 60 days until the beginning of the next school year to determine whether the child is receiving educational services from some other source.

Adopted January 17, 2005

LEGAL REFS: C.R.S. 16-22-102(9) (unlawful sexual behavior)  
C.R.S. 18-1.3-406 (crime of violence)  
C.R.S. 22-32-109.1 (2)(a) (adoption and enforcement of discipline code)  
C.R.S. 22-32-109.1 (2)(a)(V) (policy required as part of safe schools plan)  
C.R.S. 22-32-109.1 (3) (agreements with state agencies)  
C.R.S. 22-33-105 (suspension, expulsion and denial of admission)  
C.R.S. 22-33-106 (grounds for suspension, expulsion and denial of admission)  
C.R.S. 22-33-106.3 (use of student's written statements in expulsion hearings)  
C.R.S. 22-33-106.5 (information concerning offenses committed by students)  
C.R.S. 22-33-107 (compulsory attendance law)  
C.R.S. 22-33-107.5 (notice of failure to attend)  
C.R.S. 22-33-108 (juvenile judicial proceedings)  
C.R.S. 25-4-903 (1) (immunization)

CROSS REFS: ECAC, Vandalism  
GBGB, Staff Personal Security and Safety  
JEA, Compulsory Attendance Ages  
JF, Admission and Denial of Admission  
JHD, Exclusions and Exemptions from School Attendance  
JIC, Student Conduct and subcodes  
JK\*-2, Discipline of Students with Disabilities  
JKF\*, Educational Alternatives for Expelled Students

## Grounds for Suspension/Expulsion

According to Colorado Revised Statutes 22-33-106(1) (a-e) and 3(e), the following shall be grounds for suspension or expulsion from a public school:

1. Continued willful disobedience or open and persistent defiance of proper authority.
2. Willful destruction or defacing of school property.
3. Behavior on or off school property which is detrimental to the welfare or safety of other pupils or of school personnel including behavior which creates a threat of physical harm to the child or other children.
4. Declaration as an habitually disruptive student for which expulsion shall be mandatory.
  - a. For purposes of this paragraph, "habitually disruptive student" means a child who been suspended pursuant to paragraph (a), (b), (c), or (e) of this exhibit three times during the course of the school year for causing a material and substantial disruption in the classroom, on school grounds, in school vehicles or at school activities or events because of behavior that was initiated, willful and overt on the part of the child.
  - b. The student and the parent, guardian, or legal custodian shall have been notified in writing of each suspension counted toward declaring the student as habitually disruptive.
  - c. No child shall be declared to be an habitually disruptive student prior to the development of a remedial discipline plan for the child that shall address the child's disruptive behavior, personal educational needs, and the goal of keeping the child in school. The remedial discipline plan shall be developed after the second suspension for a material and substantial disruption. The district shall encourage and solicit the full participation of the child's parent, guardian, or legal custodian in the development of the remedial discipline plan.
5. Serious violations in a school building or in or on school property for which suspension or expulsion shall be mandatory.

Expulsion is mandatory for:

- a. the sale of a drug or controlled substance as defined in C.R.S. 12-22-303
- b. the commission of an act which if committed by an adult would be robbery pursuant to Part 3, Article 4, Title 18, C.R.S. or assault pursuant to Part 2, Article 3, Title 18, C.,R.S. other than the commission of an act that would be third degree., assault Under C.R.S. 18-3-204 if committed by an adult.
- c. the carrying, bringing, using or possessing a dangerous weapon without the authorization of the school or school district, except that if a student discovers that he or she has carried, brought or is in possession of a dangerous weapon and the student notifies a teacher, administrator or other authorized person in the school district, and as soon as possible delivers the dangerous weapon to that person, expulsion shall not be mandatory.

As used in this paragraph, 'dangerous weapon' means:

- 1) A firearm, whether loaded or unloaded, or a firearm facsimile that could reasonably be mistaken for an actual firearm
- 2) Any pellet or BB gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air
- 3) A fixed blade knife with a blade that measures longer than three inches in length or a spring loaded knife or a pocket knife with a blade longer than three and one-half inches
- 4) Any object, device, instrument, material, or substance, whether animate or inanimate. used or intended to be used to inflict death or serious bodily injury
- 5) Repeated interference with a school's ability to provide educational opportunities to other students.
- 6) Failure to comply with the provisions of Part 9, Article 4, Title 15, C.R.S. (immunization requirements). Any suspension, expulsion or denial of admission for such failure to comply shall not be recorded as a disciplinary action but may be recorded with the student's immunization record with an appropriate explanation.

According to C.R.S. 22-33-106 (2), subject to the district's responsibilities under the Exceptional Children's Education Act (~~see policy JK-2, Discipline of Students with Disabilities~~), the following shall be grounds for expulsion from or denial of admission to a public school or diversion to an appropriate alternate program:

1. Physical or mental disability such that the child cannot reasonably benefit from the programs available.
2. Physical or mental disability or disease causing the attendance of the child suffering therefrom to be detrimental to the welfare of other students.

Adopted: August 17, 1998

## Suspension/Expulsion of Students

### A. Procedure for suspension of 10 days or less

Through written policy the Board of Education has delegated to any administrator (principal or superintendent) the power to suspend a student for not more than five or 10 days, depending upon the type of infraction. Pursuant to policy JKD/JKE, the superintendent has been delegated the power to suspend a student for additional periods of time. However, the total period of suspension will not exceed 25 school days. As a general rule, a suspension will be 10 days or less.

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

When the term "parent/guardian" is used, it refers to the parent/guardian of students under 18 years of age; if the student is 18 years or older, it refers to the student. All references to parent/guardian are intended to also include legal custodian.

1. **Notice.** The principal, designee or the superintendent at the time of contemplated action will give the student and the parent/guardian notice of the contemplated action. Such notice may be oral or in writing. If oral, such notice will be given in person. If written, delivery may be by United States mail addresses to the last known address of the student or student's parent/guardian.
2. **Contents of notice.** The notice will contain the following basic information:
  - a. A statement of the charges against the student.
  - b. A statement of what the student is accused of doing.
  - c. A statement of the basis of the allegation. Specific names may be withheld if necessary to shield a witness. This information need not be sent out formally but should sufficiently inform the student and parent/guardian of the basis for the contemplated action.
3. **Informal hearing.** In an informal setting, the student will be given an opportunity to admit or deny the accusation and to give his or her version of the events. The administrator may allow the student to call witnesses or may personally call the accuser or other witnesses. The administrator may hold a more extensive hearing in order to gather relevant information prior to making a decision on the contemplated action.
4. **Timing.** The notice and informal hearing should precede removal of the student from school. There need be no delay between the time notice is given and the time of the hearing.



5. If the student's presence in school presents a danger. Notice and an informal hearing need not be given prior to removal from school where a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process. In this case, an informal hearing will follow as soon after the student's removal as practical.
6. **Notification following suspension.** If a student is suspended the administrator delegated the authority to suspend will immediately notify the parent/guardian that the student has been suspended, the grounds for such suspension and the period of such suspension. The notification will include the time and place for the parent/guardian to meet with the administrator to review the suspension.
7. **Removal from school grounds.** A suspended student must leave the school building and the school grounds immediately after the parent/guardian and administrator have determined the best way to transfer custody of the student to the parent/guardian.
8. **Readmittance.** No student will be readmitted to school until the meeting with the parent/guardian has taken place or until, in the opinion of the administrator, the parent/guardian has agreed to review the suspension with the administrator. However, if the administrator cannot contact the parent/guardian or if the parent/guardian repeatedly fails to appear for scheduled meetings, the administrator may readmit the student. The meeting will address whether there is a need to develop a remedial discipline plan for the student in an effort to prevent further disciplinary action.
9. **Make-up work.** Suspended students will be provided an opportunity to make up school work during the period of suspension, so the student is able to reintegrate into the educational program of the district following the period of suspension. Students will receive 50% credit for makeup work which is completed satisfactorily.

**B. Procedure for expulsion or denial of admission**

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

1. **Notice.** Not less than 5 days prior to the date of the contemplated action, the Board of Education or an appropriate administrative officer of the district will cause written notice of such proposed action to be delivered to the student and the student's parent/guardian. Such delivery may be by United States mail addresses to the last known address of the student or the student's parent/guardian.
2. **Emergency Notice.** In the event it is determined that an emergency exists necessitating a shorter period of notice, the period of notice may be shortened provided that the student or the student's parent/guardian have actual notice of the hearing prior to the time it is held.
3. **Contents of Notice.** The notice will contain the following basic information.
  - a. A statement of the basic reasons alleged for the contemplated denial of admission or expulsion.

- b. A statement that a hearing on the question of expulsion or denial of admission will be held if requested by the student or parent/guardian within 5 days after the date of the notice.
  - c. A statement of the date, time and place of the hearing in the event one is requested.
  - d. A statement that the student may be present at the hearing and hear all information against him or her, that the student will have an opportunity to present such information as is relevant and that the student may be accompanied and represented by a parent/guardian and an attorney.
  - e. A statement that failure to participate in such hearing constitutes a waiver of further rights in the matter.
4. **Conduct of hearing.** A hearing may be requested by the parent/guardian. Such hearing will be conducted by the superintendent. The hearing may be conducted in open session or may be closed except to those individuals deemed advisable by the superintendent but including in all events the student, the parent/guardian and, if requested, an attorney. Such individuals as may have pertinent information will be admitted to a closed hearing to the extent necessary to provide such information.

Testimony and information may be presented under oath. However, technical rules of evidence will not be applicable, and the superintendent may consider and give appropriate weight to such information or evidence he or she deems appropriate. The student's written statement, if any, may be presented as evidence in accordance with applicable law. The student or representative may question individuals presenting information.

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

The superintendent will prepare specific factual findings and issue a written decision within five days after the hearing.

5. **Appeal.** Within 5 days after the decision of the superintendent, the student may appeal the decision to the Board. Failure to request an appeal within 5 days will result in a waiver of the right to appeal and the superintendent's decision will become final.

If an appeal is properly requested, the Board will review the record concerning the expulsion. The record includes notices and other documents concerning the suspension and expulsion, the transcript of the testimony, if any, the hearing exhibits, the findings and recommendation of the superintendent, the superintendent's written decision, and other documents concerning the expulsion. The student may be represented by counsel at the appeal. Representatives of the district and the parents may make brief statements to the Board, but no new evidence may be presented unless such evidence was not reasonably discoverable at the time of the hearing. Members of the Board may ask questions for purposes of clarification of the record.

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

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

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

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

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

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

**C. Procedure for crimes of violence or unlawful sexual behavior**

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

1. The Board or its designee will make a preliminary determination whether it will proceed with an expulsion hearing, based on the following factors:
  - a. Whether the student has exhibited behavior that is detrimental to the safety, welfare and morals of other students or school personnel.
  - b. Whether educating the student in school may disrupt the learning environment, provide a negative example for other students to create a dangerous and unsafe environment for students, teachers and other school personnel.
2. If it is determined that the student should not be educated in the schools of the district, the district may suspend or expel the student, in accordance with the procedures set forth above.
3. Alternatively, suspension or expulsion proceedings may be postponed, pending the outcome of the court proceedings. If the suspension or expulsion proceedings are postponed, the student will not be permitted to return to school during that period. An appropriate alternative education program, including but not limited to, an on-line program authorized by state law or a home-based education program will be established for the student during the period pending the resolution of the juvenile proceedings. The time that a student spends in an alternative education program will not be considered a period of suspension or expulsion.
4. If the student pleads guilty to the charge, is found guilty or is adjudicated a delinquent juvenile, the Board or designee may proceed to suspend or expel the student following the procedures set forth in these regulations.
5. Information regarding the details of the alleged crime of violence or unlawful sexual behavior will be used by the Board or its designee for the purposes set forth in this policy, but shall remain confidential unless the information is otherwise available to the public by law.

Adopted January 17, 2005

## Suspension/Expulsion of Handicapped Students

Special education students 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.

A special education student may be temporarily suspended from school if exclusion is warranted because of the student's disruptive activities and/or actions which present a physical danger to himself, other students, school personnel or school property.

A special education student whose behavior is determined to be a manifestation of his handicap may not be expelled but shall have his individual education plan (IEP) reviewed by the appropriate IEP team. The team shall review the IEP for appropriateness of services and the need for a more restrictive or alternate placement.

A special education student whose behavior creates a threat of physical harm to himself or other students may not be expelled if the actions creating the threat are a manifestation of his handicap. However the student shall be removed from the classroom to an appropriate alternative setting within the district for a length of time which is consistent with federal law. Within 10 days, the school in which the student is enrolled shall arrange for a re-examination of his IEP to amend the plan as necessary to insure that the needs of the student are addressed in a more appropriate manner or setting which is less disruptive to other students.

Legal counsel and the special education director shall be consulted prior to consideration of expulsion of a special education student for misbehavior that is not related to his handicapping condition.

Adopted August 16, 1993

LEGAL REF.: C.R.S. 22-33-106 (1)(c)

## Educational Alternatives for Expelled Students

Upon request of a student or the student's parent/guardian, the district shall provide educational services deemed appropriate by the district for any student expelled from the district. The educational services will be designed to enable the student to return to school or successfully complete the GED, whichever is deemed appropriate by the district.

Educational services includes tutoring, alternative educational programs, including on-line programs authorized by state law, or vocational education programs that provide instruction in the academic areas of reading, writing, mathematics, science and social studies. In addition to educational services, the student or parent/guardian may request any of the services provided by the district through agreements with state agencies and community organizations for at-risk students.

The district shall determine the amount of credit the student shall receive toward graduation for the educational services provided.

Educational services provided by the district shall be designed to provide a second chance for the student to succeed in achieving an education. While receiving educational services, a student may be suspended or expelled pursuant to the discipline code of the district. Except as required by federal law for special education students, any student who is suspended or expelled while receiving educational services pursuant to this policy shall not receive further services until the period of suspension or expulsion is completed.

The educational services may be provided directly by the district or through agreements with state agencies and community organizations entered into pursuant to state law. The services need not be provided on school district property.

Serving students who are expelled for conduct or behavior involving a threat of harm to district students or personnel shall be served through a home-study course or in an alternative school setting designed to address such conduct or behavior, at the discretion of the district.

The superintendent is directed to apply for moneys through the expelled student services grant program established by Colorado law to assist in providing such services.

All expelled students receiving services will be included in the district's pupil enrollment, including those expelled prior to the October count date.

Adopted: August 17, 1998

LEGAL REFS.: C.R.S. 22-33-201.5 (definition of educational services)  
C.R.S. 22-33-203 (educational alternatives for expelled students)  
C.R.S. 22-33-204 (services for at-risk students)  
C.R.S. 22-33-205 (expelled students grant programs)

CROSS REFS.: JIC, Student Conduct, and subcodes  
JK, Student Discipline, and subcodes

### **Educational Alternatives for Expelled Students**

Parents/guardians shall be notified in writing at the beginning of each school year of their right to request services from the district if their child is expelled. In addition, written notification shall be provided to the parent/guardian at the time of any expulsion.

All requests for services for expelled students must be made in writing to the principal *[or to the principal's designee]* by the student or the student's parent/guardian within 10 school days of the expulsion.

Within 10 school days of receiving the request, the principal will notify the student and the parent/guardian of the goal in providing educational services, the services to be provided by the district and the amount of credit the student will receive.

Adopted: August 17, 1998



## Expulsion Prevention

District personnel shall enforce provisions of the student code of conduct so that students demonstrating unacceptable behavior and their parents, guardians or legal custodians understand that such behavior shall not be tolerated and shall be dealt with according to the code.

However, it is the belief of the Board that all available alternatives should be explored to help students who are at risk of expulsion before expulsion becomes a necessary step. Expulsion shall be regarded as a punishment of last resort **unless a student's behavior would cause imminent harm to others in the school, or when state law or the school's conduct and discipline codes require automatic expulsion.** The principal of each school shall work with the professional staff to identify students who are at risk of suspension or expulsion. Among those students who may be at risk are those who have been or are likely to be declared habitually truant or habitually disruptive.

The district, working with the student's parent/guardian, shall provide students who are identified as at risk of suspension or expulsion with **a plan to provide the** necessary support services to help them avoid expulsion. Services may include:

1. educational services (tutoring, alternative educational programs or vocational programs that provide instruction in the academic areas of reading, writing, mathematics, science and social studies).
2. counseling services.
3. drug or alcohol addiction treatment programs.
4. family prevention services.

In some cases, a remedial discipline plan may be the means by which various intervention and prevention services are identified and made available to a student. Support services may be provided through agreements with appropriate local governmental agencies, community-based organizations and institutions of higher education.

The failure of the school district to identify a student for participation in an expulsion prevention program or the failure of such program to remediate a student's behavior shall not be grounds to prevent school personnel from proceeding with appropriate disciplinary measures.

LEGAL REF.: C.R.S. 22-33-202

File: JLA

## **Student Insurance Programs**

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A student accident insurance program providing broad coverage at nominal cost to parents shall be made available to all students. Such protection, when purchased by the parent, shall cover the student while at school, on the way to and from school and when engaged in school-sponsored activities either on school grounds or elsewhere. Through this plan, additional insurance coverage may be purchased which will cover students participating in interscholastic athletics.

Before any student will be permitted to participate in any school sports activities, this insurance must be purchased or a waiver must be presented that absolves the school district of any liability for accidents.

Adopted August 1975

## Student Health Services and Requirements

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### 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.

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

This provision shall not apply to any student whose parent or guardian objects on religious or personal grounds.

Current practice codified 1993

Adopted: date of manual adoption

LEGAL REFS.: C.R.S. 18-6-101  
C.R.S. 22-1-116  
C.R.S. 22-32-110 (1)(bb)  
C.R.S. 22-33-106 (2)  
C.R.S. 25-4-901 et seq.  
C.R.S. 25-6-102

CROSS REFS.: JEC, Student Admissions to/Withdrawals from School  
JHD, Exclusions and Exemption from School Attendance  
JLCB, Immunization of Students  
JLCC, Communicable/Infectious Diseases  
JLCCA, Students with HIV/AIDS  
JLCD, Administering Medicines to Students

## Physical Examinations of Students

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Parents shall be encouraged to have their children physically examined prior to entering school and again prior to the fourth, seventh and tenth grades. A dental examination also shall be strongly suggested.

In any case where physical exercise is rather strenuous (such as physical education classes) and a student has any physical impairment whatsoever, the student may be required to present authorization for such participation from a physician.

Students may be excused from physical education activities and from curricular requirements relating to physical education activities upon the statement from a physician that such participation would be injurious to their health.

Teachers shall be alert to the general well-being of students and shall refer any questionable situations to the school principal. It shall be the responsibility of the teacher to investigate such conditions and refer students for further medical attention.

Adopted August 19, 1975

Revised to conform with practice: date of manual adoption

LEGAL REFS.: C.R.S. 18-6-101  
C.R.S. 25-4-402  
C.R.S. 25-6-102

CROSS REFS.: IMBB, Exemptions from Required Instruction  
JJID, Student Physicals for School Athletics

## Immunization of Students

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

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

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

Adopted September 18, 1978

Revised to conform with practice: date of manual adoption

Revised: June 16, 1997

LEGAL REFS.: C.R.S. 22-33-106  
C.R.S. 25-4-901 *et seq.*  
6 CCR 1009-2

CROSS REFS.: JFC, Student Admissions to/Withdrawals from School  
JHD, Exclusions and Exemptions from School Attendance  
JKD/JKE, Student Suspension/Expulsion  
JRA, Student Records

## 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 or a completed exemption form. A student shall be exempted only upon submission of:
  - a. certification from a licensed physician that the physical condition of the child is such that immunization would endanger the child's life or health
  - b. statement signed by one parent/guardian or the emancipated child that he or she adheres to a religious belief whose teachings are opposed to immunizations
  - c. statement signed by one parent/guardian or the emancipated child that he or she holds a personal belief that is opposed to immunizations

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

2. All students entering preschool and kindergarten are required to receive three doses of hepatitis B vaccine, in addition to the other required immunizations, prior to admission.
3. All students entering seventh grade must have an updated immunization record showing a second measles, mumps and rubella immunization and three dose of hepatitis B vaccine.
4. All students must comply with the hepatitis B vaccine requirements, according to the schedule published by the Health Department, by July 1, 2003.
5. The district will provide upon request an immunization form as required by the Health Department. The principal is responsible for seeing that required information is included on the form.
6. If there is a failure to comply with the immunization requirements, the principal 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 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 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 fail to comply will be suspended by the principal for up to five days and notice of the suspension sent to the Health Department.
  - 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 students disciplinary file.
  - 11. 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

Adopted: June 16, 1997

## Students with HIV/AIDS

Although the human immunodeficiency virus (HIV) infection is a communicable disease, it is not transmitted casually. Therefore it is not in itself a reason to remove a student from school.

Decisions about the proper educational placement of a student with HIV infection shall be based on, among other things, the student's behavior, neurologic development and physical condition. A regular evaluation of the placement decision shall be conducted to assess changes in the student's physical condition.

In the event a student with HIV infection qualifies for services as a child with disabilities under state and federal law, the procedures for determining the appropriate educational placement in the least restrictive environment shall be used in lieu of this policy. Procedures shall be developed to ensure confidentiality during the staffing process and in delivery of services to the disabled child.

Neither this policy nor the placement of a student in any particular program shall preclude the administration from taking any temporary actions including removal of a student from the classroom as deemed necessary to protect the health, safety and welfare of the student and others because the student is posing an unacceptable risk of transmission of a disease.

In all proceedings related to this policy, the district shall respect the student's right to privacy. The superintendent shall initiate procedures to ensure that all medical information will be held in strict confidence. Any school staff member who violates confidentiality shall be subject to appropriate disciplinary measures.

Adopted: August 18, 1997

LEGAL REFS.: 20 U.S.C 1401 *et seq.* (P.L. 94-142, Individuals with Disabilities Act)  
29 U.S.C. 794 (1983) (Section 504 of the Rehabilitation Act)  
42 U.S.C. 12101 *et seq.* (Americans with Disabilities Act)  
C.R.S. 22-20-101 through 22-20-114 (Exceptional Children's Educ Act)  
C.R.S. 22-33-104 (2)(a)  
C.R.S. 22-33-106 (2)

CROSS REFS.: ACE, Nondiscrimination on the Basis of Handicap/Disability  
EBBA, Prevention of Disease/Infection Transmission  
IHBA, Special Education/Programs for Handicapped/Disabled/Exceptional Students  
JB, Equal Educational Opportunities  
JEC, Student Admissions to/Withdrawal from School  
JHD, Exclusions and Exemptions from School Attendance  
JLCA, Physical Examinations of Students  
JRA/JRC, Student Records/Release of Information on Students



## Students with HIV/AIDS

The following procedures will be followed when determining the proper educational placement of a student known to be infected with human immunodeficiency virus (HIV), including those students diagnosed as having Acquired Immune Deficiency Syndrome (AIDS).

### Identification of Students

Any student infected with HIV generally will be identified by the school district only when the district receives direct information from the student or his parent/guardian about his medical diagnosis.

To encourage such disclosure, the district will endeavor to treat such students in a fair, nondiscriminatory and confidential manner consistent with the district's legal obligations.

All information about such students will be reported to the superintendent who will be the school official responsible for coordinating the placement decision. For purposes of these procedures, the superintendent will be referred to as the "school officer."

### Placement Decision

HIV infection is not transmitted casually; therefore, it is not itself a reason to remove a student from school. The school officer will determine whether the student who is infected with HIV has a secondary infection such as active tuberculosis that constitutes a recognized risk of transmission in the school setting. This is a medical question which the school officer will answer by consulting with the infected student's physician, a qualified public health official who is responsible for such determinations, and the infected student's parent/guardian.

If there is no secondary infection that constitutes a medically-recognized risk of transmission in the school setting, the infected student's education program will not be altered.

If there is a secondary infection that constitutes a medically-recognized risk of transmission in the school setting, the school officer will consult with the physician, public health official and the infected student's parent/guardian. If necessary, they will develop an individually tailored plan for the student. Additional persons may be consulted if this is essential for gaining additional information, but the infected student's parent/guardian (unless the student is 18 years of age) must approve the notification of any additional persons who would know the identity of the infected student.

If an individually-tailored plan is necessary, it must have minimal impact on the student's education. Utmost confidentiality will be observed throughout this process.

The school officer will review the case periodically with the infected student or the student's parent/guardian and the medical advisors described above.

If the student with HIV qualifies for services as a child with disabilities under state and federal law, those procedures will be used to make a placement decision in lieu of the procedure described above. In the development of an individualized educational program (IEP), school personnel should consider expanding the staffing committee to include the student's physician and a public health official to serve in an advisory capacity.

The fact that a student is infected with HIV will not be disclosed on the student's IEP nor will it be disclosed to members of the staffing committee unless the school officer in consultation with the infected student and parent/guardian, as appropriate, determines that such disclosure is necessary to develop procedures to address the student's medical condition or to provide medical treatment. These precautions also shall be observed in the case of an HIV-infected student who is referred for special education and staffing for reasons unrelated to HIV infection.

### **Confidentiality**

All information gained by the school district through application of the accompanying policy and these procedures including the identity of the student will be treated as confidential. Special precautions will be taken to protect information regarding a student's health condition in order to prevent instances of disclosure that may invade a student's personal privacy.

Persons who may know the identity of a student infected with HIV are those who with the infected student or his parent/guardian will determine whether the student has a secondary infection that constitutes a medically-recognized risk of transmission in the school setting. They are the school officer, the student's personal physician and a public health official who may be able to study the facts of the case sufficiently without needing to know the identity of the student to make a decision.

The decisionmakers listed above and the infected student or his parent/guardian will determine whether additional persons such as the school nurse or principal need to know that an infected student attends the school. The additional persons will not know the name of the infected student without the consent of the student or his parent/guardian.

All medical information and written documentation of discussions, telephone conversations, proceedings and meetings will be kept by the school officer in a locked file. Access to this file will be granted only to those persons who have the written consent of the infected student or his parent/guardian.

To further protect confidentiality, names will not be used in documents except when this is essential. Any document containing the name or any other information that would reveal the identity of the infected student will not be shared with any person, not even for the purposes of word processing or reproduction.

## Administering Medicines to Students

Whenever possible, medication should be administered to students by parents or licensed health care providers outside of school. The Board of Education recognizes, however, that there are circumstances which require that medication be administered to students at school or at school sanctioned or sponsored activities. In such circumstances, the medication shall be administered in accordance with the procedures set forth below.

### General

1. All prescription and non-prescription medication administered or to be administered to students at school shall be kept in a secure, locked area. Proper temperature and storage conditions shall be maintained for each medication.
2. All prescription and non-prescription medication administered or to be administered to students at school or at a school sanctioned or sponsored activity shall be inventoried at least every three months. Out-of-date medication shall be returned to parents/guardians or destroyed by the person conducting the inventory if requested by the parent/guardian. At the end of the school year, all unused medication provided by parents/guardians shall be returned to the parents/guardians or destroyed at their request.
3. Prescription and non-prescription medication shall only be administered to students by a registered nurse or by a person designated and trained by a registered nurse as approved by the building administrator.
4. A registered nurse shall approve a written plan consistent with these procedures for the proper storage of prescription and non-prescription medication administered or to be administered to students at school.
5. A registered nurse shall approve a written protocol consistent with these procedures for administering prescription and non-prescription medication to students at school or at a school sanctioned or sponsored activity. The protocol shall ensure that medication is administered at the proper time and in the proper dose and shall specify the person (s) at each school who have been designated and trained to administer medication to students. The protocol shall also ensure that the administration of medication to students is recorded and maintained, including the student's name, medication administered, dosage, time administered, and name of person administering the medication. Use form JLCD-E2.
6. All medication stored by the school shall be safeguarded at school or at the school sanctioned or sponsored activity to avoid any risk that it may be improperly ingested by anyone. "Medication" shall include vitamins, cough drops, pain relief remedies, etc.
7. All prescription and non-prescription medications to include but not limited to vitamins, cough drops, pain relief remedies, etc. that are stored by the school, will be secured in the office and will be administered from the office. The superintendent may authorize teachers and coaches, if properly trained by a registered nurse, to administer medications away from the office, if:

- a. A permission for medication is on file in the office and a copy of the permission for medication is provided to the teacher or coach.
  - b. If the teacher or coach can properly safeguard the medication.
8. Exceptions may be granted for students to have medications on their person if the medications are required for life-threatening health conditions or required for immediate application, i.e. inhalers. Request for students to have medications on their person must be justified by a physician's statement on the permission slip.

#### Non-Prescription Medication

1. Non-prescription medication shall be administered by school personnel only upon written permission given by the parent or legal guardian of the student in question. The form JLCD-E1 shall be used for this purpose.
2. Verbal permission is required from the parent/guardian prior to administration of non-prescription medication to elementary (PK-5) students.
3. Non-prescription medication shall only be administered from the original bottle or package labeled by the pharmaceutical company.

#### Prescription Medication

1. Prescription medication shall be administered by school personnel only upon written permission given by the parent or legal guardian of the student in question. The form JLCD-E1 shall be used for this purpose.
2. Prescription medication shall only be administered from the original bottle or package labeled by the pharmacy and designating the student to whom it is to be administered.
3. Prescription medication shall only be administered in accordance with written protocol signed by a physician (which protocol shall not include the pharmacy label on the prescription bottle or package). The parent or legal guardian of the student who is to receive the medication is responsible for obtaining this protocol.

Adopted January 17, 2005

LEGAL REFS: C.R.S. 12-38-132  
C.R.S. 22-1-119  
6 CCR 1010-6, Rule 9-105  
6 CCR 1010-6, Rule 9-106

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

### **Reasonable accommodations**

Reasonable accommodations shall be made to reduce the student's exposure to agents that may cause anaphylaxis within the school environment. If a student qualifies as a student with a disability in accordance with federal law, the student's Section 504 plan, Individualized Education Program (IEP), and/or other plan developed in accordance with applicable federal law shall meet this requirement.

### **Access to emergency medications**

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

### **Staff training**

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

and the ability to respond appropriately when a student suffers an anaphylactic reaction. The training shall also include instruction in the administration of self-injectable epinephrine.

Adopted: April 24, 2017

- LEGAL REFS.: 20 U.S.C. 1400 et seq. (Individuals with Disabilities Education Improvement Act of 2007)
- 29 U.S.C. 701 et seq. (Section 504 of the Rehabilitation Act of 1973)
- 42 U.S.C. 12101 et seq. (Americans with Disabilities Act)
- C.R.S. 22-2-135 (Colorado School Children's Food Allergy and Anaphylaxis Management Act)
- C.R.S. 22-32-139 (policy required regarding management of food allergies and anaphylaxis among students)
- C.R.S. 25-1.5-109 (Colorado Department of Public Health and Environment shall develop, maintain and make available a standard form for school districts to gather information concerning students' food allergies)
- 1 CCR 301-68 (State Board of Education rules regarding Administration of Colorado School Children's Asthma and Anaphylaxis Act and Colorado School Children's Food Allergy and Anaphylaxis Management Act)

CROSS REF.: JLCD, Administering Medications to Students

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and the ability to respond appropriately when a student suffers an anaphylactic reaction. The training shall also include instruction in the administration of self-injectable epinephrine.

Adopted: April 24, 2017

LEGAL REFS.: 20 U.S.C. 1400 et seq. (Individuals with Disabilities Education Improvement Act of 2007)

29 U.S.C. 701 et seq. (Section 504 of the Rehabilitation Act of 1973)

42 U.S.C. 12101 et seq. (Americans with Disabilities Act)

C.R.S. 22-2-135 (Colorado School Children's Food Allergy and Anaphylaxis Management Act)

C.R.S. 22-32-139 (policy required regarding management of food allergies and anaphylaxis among students)

C.R.S. 25-1.5-109 (Colorado Department of Public Health and Environment shall develop, maintain and make available a standard form for school districts to gather information concerning students' food allergies)

1 CCR 301-68 (State Board of Education rules regarding Administration of Colorado School Children's Asthma and Anaphylaxis Act and Colorado School Children's Food Allergy and Anaphylaxis Management Act)

CROSS REF.: JLCD, Administering Medications to Students



## Administering Medicines to Students

If under exceptional circumstances a student is required to take medication during school hours or at a school sanctioned or sponsored activity and the parent cannot be present to administer medications, only a registered nurse or a person designated by a registered nurse will administer the medication in compliance with the following protocol:

1. All directives of the accompanying policy will be followed.
2. Written orders from the student's physician and parent/guardian must be on file in the school office for prescription medications. Written orders from the student's parent/guardian must be on file in the school office for non-prescription medications (See JLCD-E1, Permission for Administering Medication to a Student) stating:
  - a. Student's name and grade
  - b. Name of medication
  - c. Purpose of the medication
  - d. Dosage
  - e. Time (s) of day medication is to be given
  - f. Number of days its needs to be given
  - g. Possible side effects
3. The medication must be brought to school in a container appropriately labeled by the pharmacy or pharmaceutical company.
4. An individual record will be kept of such prescription and non-prescription medications administered by school personnel. (See JLCD-E2, Record of Student Medication).
5. Verbal permission is required from the parent/guardian prior to administration of non-prescription medication to elementary (PK-5) students.
6. Medication will be stored in a clean, secure area.

### Procedure

1. Identify student.
2. Identify medication.
3. Note dosage of medication on bottle.
4. Note instructions on bottle for giving the medication.

5. Compare information on medication bottle with medication record information. See JLCD-E1, Permission for Administering Medication to a Student. If information does not agree, call the doctor for clarification (prescription medication) or parent/guardian for clarification (non-prescription medication). Verbal communication required with parent/guardian before non-prescription medications are given for elementary (Preschool through 5<sup>th</sup> grade).
6. Doctor's order should be attached to prescription medication record or noted in file.
7. Check to see that the medication has not been given already for that day and time by another school person. See JLCD-E2, Record of Student Medication.
8. Administer the medicine to the student as directed.
9. Record date, time, medication, dosage, and who administered the medication on the Record of Student Medication.
10. Return medication to medication storage.

Adopted January 17, 2005

Permission for Administering  
Prescription & Non-Prescription Medication to a Student

Name of student \_\_\_\_\_ Grade \_\_\_\_\_

Medication \_\_\_\_\_

Purpose of medication \_\_\_\_\_

Dosage \_\_\_\_\_

Time(s) of day medication is to be given \_\_\_\_\_

Number of days it needs to be given \_\_\_\_\_

Possible side effects \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature of Physician  
(For Prescription Medication)

I, \_\_\_\_\_, give my permission for the school to administer the above-described medication to my child in accordance with the above-described instructions and information signed by my child's physician. I hereby release and hold harmless Prairie School District RE-11J and all School District employees from any and all claims and liability which may arise from administering the medication in accordance with the above described instructions and information.

I understand that prescription medications must be brought to school in the original bottle or package labeled by the pharmacy and designating the student to whom it is to be administered. I also understand that non-prescription medications must be brought to school in the original bottle or package labeled by the pharmacy and designating the student to whom it is to be administered. I also understand that non-prescription medications must be brought to school in the original bottle or package labeled by the pharmaceutical company.

\_\_\_\_\_

\_\_\_\_\_  
Signature of Parent or Guardian  
(For Prescription & Non-Prescription Medications)

File: JLCD-E2

### Record of Student Medication

Name of student		Grade	Administered By	
Date	Time	Medication	Dosage	
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
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_____	_____	_____	_____	_____

Prairie School District RE-11J, New Raymer, Colorado  
March 18, 1996

## First Aid and Emergency Medical Care

No treatment of injuries except first aid shall be permitted in the schools. First aid is that immediate help given by the best qualified person at hand in case of accidents or sudden illness.

At least one person in each building and all staff members who teach or supervise students in classes or activities where students are exposed to dangerous equipment or chemicals or other increased risks of injury, as determined by the school district, shall have special training in first aid. A master first aid kit shall be kept and properly maintained in each school.

Any person who in good faith provides emergency care or assistance without compensation at the place of the emergency or accident shall not be liable for any civil damages for acts or omissions in good faith.

Treatment of injuries occurring outside school jurisdiction is not the responsibility of school employees.

No drugs shall be given at any time except for aromatic spirits of ammonia in the case of fainting. The administering of aspirin or other analgesics for headaches or pain or the giving of sodium bicarbonate is forbidden unless a parent/guardian and physician have given written authorization for their use.

The school's obligation continues after the injury until the injured student has been placed in the care of the parent/guardian or emergency health personnel. Therefore, the parents/guardians of all students shall be asked to sign and submit an emergency medical authorization form which shall individual the procedure they wish the school to follow in the event of a medical emergency involving their child.

In all cases where the nature of an illness or an injury appears serious, the parent/guardian shall be contacted if possible and the instructions on the student's emergency card followed. In extreme emergencies, where there is potential threat to life, limb or digit, school personnel shall immediately call emergency health personnel to arrange for transporting the student to an emergency facility on advice of emergency health personnel.

No elementary student who is ill or injured shall be sent home alone nor shall a secondary student be sent home alone unless the illness is minor and the parent/guardian has consented in advance.

Adopted: October 21, 2002

LEGAL REFS: 6 CCR 1010-6-9-102 (*first aid certification requirement*)  
C.R.S. 13-21-108 (*civil immunity for persons rendering emergency assistance*)  
C.R.S. 24-10-106.5 (*public entity duty of care*)

CROSS REFS: GBGAB\*, *First Aid Training*  
JLCD, *Administering Medicines to Students*  
JLIB, *Student Dismissal Precautions*

## First Aid and Emergency Medical Care

### General directives for illness

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1. A student who becomes ill while at school will be seen by a person trained in first aid, if possible.
2. If a student must be sent home because of illness, the parent/guardian will be contacted and asked to pick up the child if possible.
3. No elementary student who is ill will be sent home alone.
4. A secondary student who becomes ill will be allowed to leave school unaccompanied by a parent/guardian only with the express approval of the parent/guardian. The school staff member who speaks with the parent will make written notes indicating the date and time of the conversation, the parent/guardian's name and whether permission was given.

### General directives for injuries/severe illness

#### ▪ Minor injury

Minor injuries will be given first aid treatment by school district personnel.

#### ▪ Serious injury or illness (but not threatening to life, limb, or digit)

If the student is in pain or requires medical treatment, the student's parent/guardian will be notified to pick up the student from school. No elementary student who is injured or becomes ill will be sent home alone. An injured secondary student will be allowed to leave school unaccompanied by a parent/guardian only with the express approval of the parent/guardian. The school staff member who speaks with the parent will make written notes, indicating the date and time of the conversation, the parent/guardian's name and whether permission was given.

#### ▪ Severe injury or illness threatening to life, limb, or digit

1. If a student sustains a severe injury or illness requiring immediate medical attention, district personnel shall immediately call 911 to notify emergency health personnel.
2. The school administration or designee shall then immediately attempt to contact the parent/guardian to inform him or her of the status of the student and to request that the parent/guardian proceed to the hospital immediately.

3. The superintendent will be notified of the injury or illness as soon as possible.
4. The teacher or other staff member who was responsible for the student at the time of the accident will make out an accident report using the official school form.

Adopted: October 21, 2002

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## MEDICAID REIMBURSEMENT

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

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

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

- include a consent form with the "start of school" information each fall.
- include a consent form with IEP materials.

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

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

Adopted: July 17, 2000

LEGAL REFS: C.R.S. 26-4-531

CROSS REFS: JRA/JRC, Student Records/Release of information on Students



## Consent to Release Information

Colorado school districts are entitled by law to seek Medicaid reimbursement when the districts provide services to Medicaid-eligible students. The following consent form is to authorize the Prairie School District to release to Colorado Health Care Policy and Financing information related to Medicaid services provided to the student identified below as necessary to apply for and recover Medicaid reimbursement.

NOTE: Participation in the school Medicaid reimbursement program does NOT adversely affect the student's eligibility for future Medicaid services in any way.

I give consent and authorize the Prairie School District to release to Colorado Health Care Policy and Financing (HCPF) information related to health and other Medicaid eligible services the district provides to the student identified below during the \_\_\_\_\_ school year, as frequently and comprehensively as necessary to apply for and recover Medicaid Partial Reimbursement for such services.

\_\_\_\_\_  
Student Name

\_\_\_\_\_  
Student's Date of Birth

\_\_\_\_\_  
Student's School

\_\_\_\_\_  
Student's Medicaid Number

\_\_\_\_\_  
Parent/Guardian Name (or student over 18)

\_\_\_\_\_  
Student's Social Security Number

\_\_\_\_\_  
Parent/Guardian Signature (or student over 18)

\_\_\_\_\_  
Date

If at any time you wish to revoke this permission, please contact \_\_\_\_\_

## Guidance and Counseling

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The counseling program shall:

1. Provide the various testing programs to measure academic and career development.
2. Provide opportunity for the development of socialization interactions.
3. Provide counseling to the individual, small groups and classes.
4. Create an organizational plan that coordinates the internal and external sources for student aid.
5. Develop scholarship awareness and an application process for juniors and seniors.
6. Provide information on class scheduling and course content.
7. Provide personal counseling to help students know themselves.

The guidance and counseling program shall be student-centered and shall be based on the recognition of the dignity and worth of the individual and his right to personal assistance in time of need. Students shall be encouraged to visit the guidance counselor for advice concerning college selection, national testing programs, academic problems and registration for classes.

When a student's academic or behavior indicates the need for adjustment, the counselor may contact the student. Since the counselor, ideally, should serve the needs and desires of the student, most counseling sessions shall be initiated at the student's request during the student's free time. Parent initiated conferences shall also be encouraged.

Current practice codified August 1993  
Adopted: date of manual adoption

## Screening/Testing of Students (And Treatment of Mental Disorders)

### A. Survey, analysis or evaluation of students

#### Survey, analysis or evaluation for which consent is required

Except as otherwise required by law, students shall not be required to submit to a survey, analysis, or evaluation related to curriculum or other school activities that is intended to reveal information, whether the information is personally identifiable or not concerning the student or the student's parents/guardians, without written parental consent, that reveals information concerning:

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

School personnel responsible for administering any such survey, analysis or evaluation shall give written notice at least two weeks in advance to the student's parent/guardian or the eligible student (student 18 years old). 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, 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 is 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.

#### **Notice and right to "opt out" for surveys, analysis or evaluation for marketing purposes**

Parents/guardians and eligible students (students 18 years of age) 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.

#### **Right to review**

Parent's/guardians and eligible students (students 18 years of age) have the right to review, upon request, any survey, analysis or evaluation administered or distributed by a school to students whether created by the district or a third party.

#### **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, analysis or evaluation without obtaining consent as long as such participation is not otherwise prohibited by federal 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, 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

### **Confidentiality**

Any survey, 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.

### **Eligible students**

A student 18 years or older may consent to revealing such information without parental consent.

### **Notice of this section of policy**

The district shall inform parents/guardians and eligible students of their rights under this section of the policy.

## **B. Psychiatric/psychological/behavior testing methods or procedures**

Students shall not be required to submit to any psychiatric or psychological methods or procedures for the purpose of diagnosis, assessment or treatment of any emotional, behavioral or mental disorder or disability as part of any classroom or instructional activity without parental knowledge and consent. In addition, school personnel are 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 result will be used and obtaining prior written permission from the student or the student's parent/guardian.

However, a student 15 years or older may consent to receive mental health services without parental consent when services are rendered by a facility (such as a clinic or community mental health center) that provides such treatment or by a person licensed to practice medicine in this state or a psychologist certified to practice in this state. A student 18 years or older is eligible to consent to psychiatric or psychological methods or procedures without parental consent.

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.

Psychological tests shall be administered to students only by appropriately certified school personnel employed for this purpose or by interns under their supervision. Adherence to this policy shall ensure quality psychological services and shall protect the educational right, dignity and privacy of students and parents/guardians.

Psychological examination and testing shall be made only after informed and written consent of the student's parents/guardians is obtained unless the student is of legal age to give informed and written consent. Psychological data shall be only one of several criteria for determining any changes in a student's educational program. Psychological data older than three years shall not be used as the basis for prescriptive teaching or placement.

Ordinary classroom instruction, activities and techniques involving the approved curriculum that teach about psychological or psychiatric methods or procedures shall be permissible and considered outside the scope of this policy. It is understood that there is a significant difference between practicing therapy and providing activities that may be therapeutic in nature. In all cases, care must be exercised to protect the privacy rights of students.

### **C. Special education evaluation**

The giving of parental permission for evaluation in anticipation of a special education staffing and possible provision of services for a handicapped student and any subsequent approval for the provision of such services is governed by state and federal law and is outside the scope of this policy.

This policy is in addition to and does not supersede any other legal rights or obligations of parents/guardians and students.

Adopted: January 17, 2005

LEGAL REFS: C.R.S. 22-1-123 (district shall comply with federal law on protection of pupil rights; Colorado provisions regarding survey, analysis and evaluation of students)  
C.R.S. 22-32-109 (1)(ee) (duty to adopt policy prohibiting personnel from ordering behavior tests without parent permission)  
C.R.S. 22-32-109.2 (screening and treatment of emotional/mental disorders or disabilities)  
C.R.S. 27-10-103 (voluntary applications for mental health services)  
C.R.S. 13-22-101 (18 is age of competence for certain purposes)  
20 U.S.C. 1232h (protection of pupil rights)  
20 U.S.C. 1232(c) (Family Education Rights and Privacy Act)

CROSS REFS: GBEB, Staff Conduct  
GCS, Professional Research and Publishing  
ILBA, District Program Assessments

ILBB, State Program Assessments  
JID, Students of Legal Age  
JLCA, Physical Examinations of Students  
JRA/JRC, Student Records/Release of Information on Students  
LC, Relations with Education Research Agencies

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## **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

Issued: April 24, 2017

## Reporting Child Abuse/Child Protection

It is the policy of the Board of Education that this school district comply 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 subject 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 report or cause a report to be made to the Weld County Department of Social Services or to the Weld County sheriff's office.

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.

Adopted March 19, 1984

Revised to conform with practice: date of manual adoption

LEGAL REFS.: C.R.S. 19-1-120 (1)(a)  
C.R.S. 19-3-304  
C.R.S. 19-3-307  
C.R.S. 19-3-309  
C.R.S. 22-32-109 (1)(z)

CROSS REF.: GBGB, Staff Personal Security and Safety

*Note: The fourth section of the law cited above grants school employees and other persons who report or facilitate investigation of instances of child abuse immunity from any liability that might otherwise be incurred, except for making maliciously false statements.*

## Reporting Child Abuse/Child Protection

1. Any school employee who has reasonable cause to suspect that any child is subjected to abuse or to conditions that might result in abuse (for example, malnutrition, dangerous conditions, neglect) should immediately report the situation to the superintendent. This oral report should be followed at once by a written report sent by the employee to the superintendent.
2. The written report should include:
  - a. Name, age, address, sex and race of the child
  - b. Name and address of the child's parents, guardians and/or persons with whom he is living
  - c. Name and address of the person, if known, believed responsible for the suspected abuse or neglect
  - d. The nature and extent of the child's injury or condition as well as any evidence of previous instances of known or suspected abuse or neglect of the child or the child's siblings\_ all with date as appropriate
  - e. The family composition, if known
  - f. Any action taken by the person making the report
  - g. Any other information that might be helpful in establishing the cause of the injuries or the condition observed
3. The superintendent shall be responsible for immediately contacting the Weld County Department of Social Services or the Weld County sheriff's office, using such procedures and forms as may be required by that agency. The superintendent shall promptly inform the staff person initiating the report that a written report has been made to the appropriate agency.
4. After the report is made to the agency, district and school staff members will make themselves available for meetings with the agency's representative to facilitate communication. The school will report any further incidents of abuse to the agency's representative.
5. As the case is being investigated, the school will provide supportive aid and counseling services for the child.
6. Once a report of child abuse is given to the agency, the responsibility for investigation and follow-up lies with the agency. It is not the responsibility of the school staff to investigate the case. Therefore, the school staff will not engage in the following activities:

File: JLF-R

- a. Make home visits for investigative purposes.
  - b. Take the child for medical treatment. (This does not preclude taking action in an emergency situation.)
  - c. Convey messages between the agency and the parents/guardian.
7. Authorized school and district personnel may make available to agency personnel assigned to investigate instances of child abuse the health or other records of a student for such investigative purposes.

Current practice codified August 1993  
Approved: date of manual adoption

File: JLIA

## Supervision of Students

Teachers shall be responsible for the care, safety, discipline and instruction of the students in their care and for any students outside of regular class hours as assigned by the superintendent.

Teachers shall also be responsible for adhering to Board policies at all times.

Any teacher shall have the authority to control or direct any student in disciplinary cases.

Adopted May 18, 1976

## **Student Dismissal Precautions**

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The school district is legally responsible for the safety of its students during the school day. Under no circumstances shall teachers dismiss a child from school prior to the end of the school day or into any person's custody without the direct prior approval and knowledge of the superintendent.

Teachers shall exercise the greatest care in granting permission for children to leave school at the request of or in the company of any person who is not a school officer or the child's parent.

Adopted May 18, 1976

## Student Automobile Use and Parking

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When it is necessary for a student to bring a vehicle to school because of school activities, it shall be used for that purpose only. .

All student vehicles shall be parked east of the school building unless physical conditions in the parking area make this impractical. Students shall not be allowed in cars during school hours. Vehicles shall not leave the school grounds during school hours without permission from the office.

The speed limit while on school property shall be a maximum of 15 miles per hour. Cars and motorcycles shall not be used for joy riding at any time.

Students who do not have a valid driver's license may not bring a motor vehicle onto the school grounds for any reason.

Adopted August 19, 1975

Revised to conform with practice: date of manual adoption

## Physical Activity

The Board believes students who engage in physical activity as part of the learning environment are healthier and more likely to be engaged learners.

All district students shall be provided opportunities to engage in daily physical activity. The district shall include not less than the minimum required amount of physical activity in the schedules of students attending elementary schools, as such minimums are set forth in state law. Middle school and high school students shall be afforded opportunities for physical activity that are age-appropriate. Students with medical or physical limitations that may affect the student's ability to participate in a scheduled physical activity shall be provided appropriate alternative activities, consistent with federal and state law.

For purposes of this policy, "physical activity" may include but is not limited to:

1. exercise programs
2. fitness breaks
3. recess
4. field trips that include physical activity
5. classroom activities that include physical activity
6. physical education classes

A school shall not substitute non-instructional physical activity for standards-based physical education instruction.

Exceptions to required amounts of physical activity may be allowed for school closures, in accordance with law.

Adopted July 17, 2017

LEGAL REFS.: C.R.S. 22-32-136 (policies to improve children's nutrition and wellness)

C.R.S. 22-32-136.5 (3)(a) (physical activity policy required)

CROSS REFS.: ADF, School Wellness

JLCA, Physical Examinations of Students



### **Academic Honors**

Prairie High School will name a Valedictorian and Salutatorian for each graduating class based upon the following standards.

1. The grade average shall be computed on 8 semesters of coursework.
2. The sole criteria for selection will be the accumulated grade point average (GPA) for each student.
3. The highest GPA will be named valedictorian and the second highest GPA will be salutatorian.

Adopted: January 1997

Amended: June 2016

File: JQ

## **Student Fees, Fines and Charges**

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No textbook fees shall be charged. Textbooks which are lost or damaged by students must be paid for at the replacement value. Fees will be charged for cap and gown rental, yearbook, transcripts and any other fees as determined by the Board. Some courses may require a fee for materials.

Current practice codified August 1993  
Adopted: date of manual adoption

LEGAL REFS.: C.R.S. 22-32-117  
C.R.S. 22-32-118  
C.R.S. 22-45-104

CROSS REF.: EFC, Free and Reduced Price Food Services

## Student Records/Release of Information on Students

### 1. Content and custody of records/information

Student education records in all formats and media, including photographic and electronic, 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 individual education program (IEP).

Education records do not include records maintained by a law enforcement unit of the school or school district that are created by the 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.

All requests for inspection and review of student education records and requests for copies of such records, as well as disclosure of personally identifiable information except as provided by law, shall be maintained as a part of each student's record.

The superintendent or principal is the official custodian of student records.

### 2. Access to records by parents

A parent/guardian ("parent") and any student 18 years old or older, has the right to inspect and review the student's education files. If a student is 18 years old or older ("eligible student"), the parent or guardian may not inspect or review the student records without written permission from the student. However, if an eligible student is a dependent for federal income tax purposes, parents/guardians are entitled, along with the student, access to student educational records.

During inspection and review of student 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 student records.

In all cases where access to student records is requested, except as provided in the policy, a written request to see the files must be made by the parent of eligible student. The principal or superintendent, upon receipt of the written request, shall provide access to inspect and review the records and set a date and time for such inspection and review.

In no case will the date set be more than three working days after the request has been made.

The parent or eligible student shall examine the student's records in the presence of the principal, counselor, or superintendent.

The record itself shall not be taken from the school building. However, upon request, one copy of the record shall be provided within a reasonable time to the parent or eligible student at a cost of \$1.00 per page.

### **3. Requesting records from other school districts**

When a student transfers to this school district from another district, the receiving school shall request the student's records from the transferring district if the records have not already been forwarded to the receiving school.

### **4. Transferring records to other school districts/post secondary institutions**

Student records, including disciplinary records, may be transferred without consent to officials of another school, school system, or post-secondary institution that has requested the records and in which the student seeks or intends to enroll. The district will provide a copy of the record to the eligible student or student's parents if so requested.

### **5. Requesting and receiving information and records 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 protecting public safety and the 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.

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

### **6. Request to amend education records**

A parent of eligible student may ask the district to amend a record they believe is inaccurate, misleading or otherwise violates the privacy rights of the student by writing to the school principal or superintendent clearly identifying the part of the record they want changed and specifying why it is inaccurate, misleading or otherwise violates the privacy rights of the student. The request to the administration to amend a student's records must be made in writing within 10 school days of the date the records were first

examined.

If the principal or superintendent, after consulting with any other person having relevant information, decides not to amend the record as requested by the parent or eligible student, the administration shall notify the parent of eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures shall be provided to the parent or eligible student when notified of the right to a hearing.

A request for a formal hearing must be made in writing and addressed to the superintendent of schools. The response to the request shall be mailed within 10 school days. The hearing shall be held in accordance with the following:

- a. The hearing will be held within 15 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.
- b. The hearing will be conducted by the Board of Education as designated in writing by the superintendent. The official conducting the hearing shall not be the administration who made the initial decision nor shall it be anyone with a direct interest in the outcome of the hearing.
- c. 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.
- d. The official designated above shall make a decision in writing within 10 school days following the conclusion of the hearing and shall notify the parent or eligible student of that decision by certified mail.
- e. 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.
- f. The decision shall include a statement informing the parents or eligible student of their right to place in the student records 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 school district. If the student record is disclosed by the school to any other party, the explanation shall also be disclosed to that party.

## **7. Disclosure with written consent**

Whenever the district is required by law or policy to seek written consent prior to disclosing personally identifiable information regarding a student, the notice provided to the parent/guardian or eligible student shall contain the following:

- a. The specific records to be released
- b. The specific reasons for such release
- 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 released
- e. The right to review or receive a copy of the records to be released

Parental 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.

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

#### **8. Disclosure without written consent**

The school district will disclose personally identifiable information from student records without written consent of the parent or eligible student only to those person or entities allowed under federal or state law to receive such information.

The school district may disclose group scholastic achievement data from which the individual cannot be identified without written consent of the parent of eligible student.

#### **9. Disclosure of disciplinary information to school personnel**

In accordance with state law, the principal or superintendent is required to 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. The purpose of this requirement is to keep school personnel apprised of situations that could pose a risk to the safety and welfare of others.

For purposes of this policy, "disciplinary information" means confidential records maintained by or in possession of the principal or superintendent on an individual student which indicate the student has committed an overt and willful act which constitutes a violation of the district's code of student conduct and/or there is reasonable cause to believe, through information provided to the administration from another credible source, that the student could pose a threat to the health and safety of other students and school personnel based on prior misbehavior.

"Disciplinary information" is intended to include only that information of a serious nature that is not otherwise available to teachers and counselors as part of the education records maintained on students or other reports of disciplinary actions. It is appropriate for instructional staff members to request disciplinary information from the principal or

superintendent on students in their classrooms if there is concern that the student poses a threat to the safety of other students or school officials.

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. The principal or superintendent is required to inform the student and the student's parent/guardian when disciplinary information is communicated and to provide a copy of the disciplinary information. The student and/or the student's parent/guardian may challenge the accuracy of disciplinary information through the process outlined in the notice to parents and students of rights concerning student school records (JRA/JRC-E).

#### **10. Disclosure to military recruiting officers**

Names, addresses and home telephone numbers, as well as directory information, of secondary school students will be released to military recruiting officers within 90 days of the request unless a parent/guardian 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 will be paid by the requesting service.

#### **11. 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:

\* include a consent form with IEP packet materials

#### **12. Disclosure to criminal justice agencies**

The superintendent or designee is authorized by law to share disciplinary and attendance information 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 trial. 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.

#### **13. 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.

#### **14. Disclosure to other parties**

Except as noted in this policy, student records will not be released to other individuals and parties without a written request and authorization of the parent or eligible student.

Personal information will only be released to a third party with the assurance it will be kept confidential.

#### **15. Disclosure of directory information**

The school district may disclose directly information 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 7 or the following Monday if September 7 is a Saturday or Sunday.

Directory information which may be released may include the student's name, 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, degrees and awards received, the most recent previous education agency or institution attended by the student, and other similar information. Student telephone numbers and addresses will not be disclosed pursuant to Colorado law, except that the mailing addresses of eighth grade students shall be disclosed to the CCHE pursuant to paragraph 13 of this policy.

#### **16. Annual notification of rights**

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

A copy of the Family Educational Rights and Privacy Act and this policy on student records shall be on file in the office of each building principal and of each individual who carries out procedures relative to the act or policy.

#### **17. Waivers**

A parent of eligible student may waive any or all rights protected by this policy. The waiver shall not be valid unless in writing and signed by the parent of eligible student. The district does not require a waiver but may request a waiver. Any waiver under this provision may be revoked at any time in writing.



Adopted September 19, 2005

LEGAL REFS: 20 U.S.C. 1232g (Family Educational Rights and Privacy Act)  
20 U.S.C. 7908 (military recruiter information contained in No Child Left Behind Act of 2001)  
34 C.F.R. 99.1 et seq. (FERPA regulations)  
~~Pub.L. 100-360, July 1, 1998 (Medicare Catastrophic Coverage Act of 1988)~~  
C.R.S. 19-1-303 and 304 (records and information sharing under Colorado Children's Code)  
C.R.S. 22-1-123 (district shall comply with FERPA)  
C.R.S. 22-32-109 (1) (ff) (duty to establish policy on disclosing eighth grade students names and mailing addresses to the Colorado Commission on Higher Education)  
C.R.S. 22-32-109.1(6) (duty to establish policy on sharing information consistent with state and federal law in the interest of making schools safe)  
C.R.S. 22-32-109.3(2) (duty to share disciplinary and attendance information with criminal justice agencies)  
C.R.S. 22-33-106.5 (court to notify of conviction of crime of violence and unlawful sexual behavior)  
C.R.S. 22-33-107.5 (school district to notify of failure to attend school)  
C.R.S. 24-72-204 (3)(a)(VI) (schools cannot disclose address and phone number without consent)  
C.R.S. 24-72-204 (3)(d) (information to military recruiters)  
C.R.S. 24-72-204 (3)(e)(I) (certain FERPA provisions enacted into Colorado Law)  
C.R.S. 24-72-204 (3)(e)(II) (disclosure by staff of information gained through personal knowledge or observation)  
C.R.S. 26-4-531 (districts who contract to receive federal funds for health services for students receiving Medicaid benefits may share information as allowed by parent/guardian)

CROSS REFS: JK, Student Discipline  
JLC, Student Health Services and Records  
~~JRCA\*, Sharing of Student Records/Information between School District and State Agencies~~  
KLMA, Relations with Military Recruiters, Postsecondary Institutions and Prospective Employers

## Student Records/Release of Information on Students

(Notification to Parents and Students of Rights  
Concerning Student School Records)

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

1. The right to inspect and review the student's education records within 3 days of the district receiving a request for access.

A parent or eligible student making such a request must submit to the school principal [or appropriate school official] a written request that identifies the records(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

1. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading or otherwise violates the privacy rights of the student.

A parent or eligible student may ask the district to amend a record they believe is inaccurate, misleading or otherwise violates the privacy rights of the student by writing to the school principal [or appropriate school official] clearly identifying the part of the record they want changed and specifying why it is inaccurate, misleading or otherwise violates the privacy rights of the student.

If the principal decides not to amend the record as requested, the principal will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

2. The right to consent to disclosure of personally identifiable information contained in the student's education records, except to the extent that FERPA and state law authorize disclosure without consent.

Whenever the district is required by law or policy to seek written consent prior to disclosing personally identifiable information regarding a student, the notice provided to the parent/guardian or eligible student shall contain the following:

- The specific records to be released;
- The specific reasons for such release;
- The specific identity of any person, agency or organization requesting such information and the intended uses of the information;

- The method or manner by which the records will be released; and
- The right to review or receive a copy of the records to be released.

Parental 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.

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

Disclosure of personally identifiable information can be made without consent to the following:

- a. School officials, including teachers, working in the school at which the student is enrolled 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 learning environment. This may include the disclosure of disciplinary information regarding conduct that posed a significant risk to the safety or well being of the student or others. 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 contracted to perform a special task (such as an attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.
- b. Officials of another school, school system or post secondary institution that has requested the records and in which the student seeks or intends to enroll. In this case, disciplinary information shall be included. The district will make a reasonable attempt to notify the eligible student or student's parents prior to the disclosure of information and the district will provide a copy of the record to the eligible student or student's parents if so requested.
- c. In connection with a student's application for or receipt of financial aid.
- d. 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 trial. Such information shall only include disciplinary and attendance information and shall only be shared upon 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.

- e. Educational testing and research organizations for the purpose of administering student aid programs or improving instruction or predictive tests as long as confidentiality is maintained and such organizations are required to destroy records after they no longer are needed.
  - f. ~~Accrediting institutions to carry out their accrediting functions.~~
  - g. Parents of students over 18 years of age that are dependent for federal income tax purposes.
  - h. In emergency situations to appropriate persons if the information is necessary to protect the health and safety of the student or others.
  - i. Anyone if required by a court order or subpoena. The district will make reasonable efforts to notify the parent or eligible student prior to complying with the subpoena or court order. The district will not provide such notice if the subpoena is issued by a federal grand jury or any other law enforcement purpose where the court has ordered non-disclosure of the existence or contents of the subpoena or information furnished.
  - j. A court presiding over a legal action initiated by the school district where the education records are relevant, or initiated by a parent or eligible student where the records are relevant for the school district's defense. The school district may disclose group scholastic achievement data from which the individual cannot be identified without written consent of the parent or eligible student.
4. 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 20202-4605.

5. The right to refuse to permit the designation of any or all of the categories of directory information.

The district is permitted by law to disclose directory information 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 7 or the following Monday if September 7 is a Saturday or Sunday.

Directory information which may be released may include the student's name, 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, " degrees and awards received, the most recent and previous education agency or institution attended by the student, and other similar information. Student telephone numbers and addresses will not be disclosed pursuant to Colorado law.

6. The right to request that information not be provided to military recruiting officers. Names, addresses and home telephone numbers of secondary school students will be released to military recruiting officers within 90 days of the request unless a student submits a written request that such information not be released. .

*This notice must be distributed to parents and eligible students annually.*

Adopted: December 17, 2001

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

Adopted: July 17, 2017

LEGAL REFS.:

20 U.S.C. §1232g (*Family Educational Rights and Privacy Act*)  
(*FERPA*) 34 C.F.R. §99.1 *et seq.* (*FERPA regulations*)

C.R.S. 19-1-303 and 304 (*records and information sharing under Colorado Children's Code*)

C.R.S. 19-1-304 (5.5) (*duty of prosecuting attorney to provide juvenile delinquency records*)

C.R.S. 19-2-921 (7.5) (*department of human services shall notify school district if student's parole conditions require school attendance*)

C.R.S. 22-1-123 (*district shall comply with FERPA*)

C.R.S. 22-2-139 (7) (*within confidentiality limits of state and federal law, information shall be shared to determine appropriate educational placement when a student is transferred to public school from day treatment facility, facility school or hospital*)

C.R.S. 22-32-109.1 (6) (*duty to establish policy on sharing information consistent with state and federal law in the interest of making schools safer*)

C.R.S. 22-32-109.3 (2) (*duty to share disciplinary and attendance information with criminal justice agencies*)

C.R.S. 22-33-106.5 (*court to notify of conviction of crime of violence and unlawful sexual behavior*)

C.R.S. 22-33-107.5 (*school district to notify of failure to attend school*)

C.R.S. 24-72-204 (2)(e) (*denial of inspection of materials received, made or kept by the Safe2Tell Program*)

C.R.S. 24-72-204 (3)(e)(I) (*certain FERPA provisions enacted into Colorado law*)

C.R.S. 24-72-204 (3)(e)(II) (*disclosure by staff of information gained through personal knowledge or observation*)

CROSS REFS.: JKD/JKE, Suspension/Expulsion of Students

JRA/JRC, Student Records/Release of Information on Students



## Student Use of the Internet and Electronic Communications

The Internet, a global computer network referred to as the World Wide Web, 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 reform.

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 Board believes that educational opportunities inherent in these tools far outweigh the possibility that users may procure material not consistent with the education goals of the district. However, 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. The Board acknowledges that while it is impossible to predict with certainty what information students might locate or come into contact with, it desires to take all 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 computers and computer systems to avoid contact with material or information that may be harmful to minors.

### **Blocking or filtering obscene, pornographic and harmful information**

Software that blocks or filters material and information that is obscene, child pornography or otherwise harmful to minors, as defined by the Board, shall be installed on all district computers having Internet or electronic communications access. Students shall report access to material and information that is obscene, child pornography, harmful to minors 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 computers and computer systems are owned by the district and are intended for educational purposes at all times. Students shall have no expectation of privacy when using the Internet or electronic communications. The district reserves the right to monitor, inspect, copy, review and store (at any time and without prior notice) all usage of district computers and computer systems, including all Internet and electronic communications access and transmission/receipt of materials and information. All material and information accessed/received through district computers and computer systems shall remain the property of the school district.

## Unauthorized and unacceptable uses

Students shall use district computers and computer systems in a responsible, efficient, ethical and legal manner.

Because technology and ways of using technology are constantly evolving, every unacceptable use of district computers and computer systems 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 with regard to race, color, sex, religion, national origin, age, marital status, disability or handicap
- 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, 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 the 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 computer systems is a high priority. Students who identify a security problem while using the Internet or electronic communications 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 computers or computers systems
- read, alter, delete or copy, or attempt to do so, electronic communications of other system users

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

## **Safety**

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 school disciplinary action and/or legal action. 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-owned software or hardware. This includes, but is not limited to, the uploading or creation of computer viruses and the use of encryption software.

## **Unauthorized software**

Students are prohibited from using or possessing any software that has been downloaded or is otherwise in the user's possession without appropriate registration and payment of any fees owned to the software owner.

## Assigning student projects and monitoring student use

The district will make every effort 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.

## Student use is a privilege

Use of the Internet and electronic communications demands personal responsibility and an understanding of the acceptable and unacceptable uses of such tools. Student use of the Internet and electronic communications is a privilege, not a right. Failure to follow the use procedures contained in this policy will result in the loss of the privilege to use these tools and may result in school disciplinary action and/or legal action. 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 expressed or implied, related to the use of district computers and computer systems, including access to the Internet and electronic communications services. Providing access to these services does not imply endorsement to the district of the content, nor does the district make any guarantee as to the accuracy or quality of information received. The School 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.

Adopted January 17, 2005

LEGAL REFS: 47 U.S.C. 254(h) (Children's Internet Protection Act of 2000)  
47 U.S.C. 231 (Child Online Protection Act of 1998)  
20 U.S.C. 6801 et seq. (Elementary and Secondary Education Act)

Prairie School District RE-11J, New Raymer, Colorado

## Student Use of the Internet and Electronic Communications (Annual Acceptable Use Agreement)

### Student

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

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

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

\_\_\_\_\_  
Student's Name (printed)

\_\_\_\_\_  
Date of Birth (day/mo/yr)

\_\_\_\_\_  
Student's Signature

\_\_\_\_\_  
Date

### Parent or Guardian

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

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

information accessed by my child. Further, I accept full responsibility for supervision if and when my child's Internet or electronic communications use is not in a school setting.

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

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

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

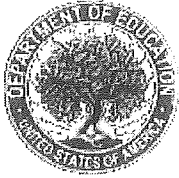
\_\_\_\_\_  
Parent/Guardian's Name (printed)

\_\_\_\_\_  
Parent/Guardian's Signature

\_\_\_\_\_  
Date

Adopted January 17, 2005

Prairie School District RE-11J, New Raymer, Colorado



## Family Educational Rights and Privacy Act (FERPA)

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

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

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
  - School officials with legitimate educational interest;
  - Other schools to which a student is transferring;
  - Specified officials for audit or evaluation purposes;
  - Appropriate parties in connection with financial aid to a student;
  - Organizations conducting certain studies for or on behalf of the school;
  - Accrediting organizations;
  - To comply with a judicial order or lawfully issued subpoena;
  - Appropriate officials in cases of health and safety emergencies; and
  - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification

(special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

For additional information or technical assistance, you may call (202) 260-3887 (voice). Individuals who use TDD may call the Federal Information Relay Service at 1-800-877-8339. Or you may contact us at the following address:

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**Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-4605**



*This page last modified February 4, 2000 by gkp*



## Discipline of Students with Disabilities

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.

### Suspensions

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.

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.

### Manifestation determination

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.

Within 10 school days from the date of the decision to expel the student or take other disciplinary action that will result in a disciplinary change of placement, the student's parents and relevant members of the student's IEP team 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 behavior was caused by, or had a direct and substantial relationship to, the student's disability; and (2) whether the student's behavior 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

Once the team determines that the behavior was not a manifestation of the disability, disciplinary procedures shall be applied to the student in the same manner as applied to nondisabled students.

During any period of expulsion or other 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 the goals of his or her IEP.

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 placement or the student's placement may be otherwise changed, in accordance with governing 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 appropriate alternative setting for not more than 45 school days if:

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

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

Students not identified as disabled

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

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

1. the student's parent has expressed concern in writing to appropriate 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 supervisory personnel.

If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation will be expedited.

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.

Adopted September 19, 2005

LEGAL REFS: 20 U.S.C. 1401 et seq. (Individuals with Disabilities Education Improvement Act of 2004)  
C.R.S. 22-20-101 et seq. (Exceptional Children's Educational Act)  
C.R.S. 22-33-106 (1)(c)

CROSS REFS: IHBA, Special Education Programs for Students with Disabilities  
JIC, Student Conduct and subcodes  
JK, Student Discipline and subcodes  
JRA/JRC, Student Records/Release of Information on Students

Prairie School District RE-11J, New Raymer, Colorado

## Corporal Punishment

In dealing with disruptive students, any person employed by the district may, within the scope of his employment, use reasonable and appropriate physical intervention or force as necessary for the following purposes:

1. To restrain a student from an act of wrong-doing
2. To quell a disturbance threatening physical injury to others
3. To obtain possession of weapons or other dangerous objects upon a student or within the control of a student
4. For the purpose of self-defense
5. For the protection of persons or property
6. For the preservation of order

Any such acts are not in conflict with the legal definition of child abuse and shall not be construed to constitute corporal punishment within the meaning and intention of this policy.

No corporal punishment shall be administered to students by anyone in any district school.

Adopted August 16, 1993

LEGAL REFS.: C.R.S. 18-1-703  
C.R.S. 18-6-401 (1)  
C.R.S. 19-3-103 (1)  
C.R.S. 22-32-110 (2), (4)(b)(I)

## Use of Physical Intervention

### A. Corporal punishment

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Consistent with state law and Board policy, corporal punishment shall not be administered to students by anyone in any district school.

### B. Physical intervention other than restraint

Persons employed by the district may use reasonable and appropriate physical intervention or force in the scope of their employment as necessary for the following purposes:

1. To prevent a student from an act of wrong-doing
2. To quell a disturbance threatening physical injury to others
3. To obtain possession of weapons or other dangerous objects upon a student or within the control of a student
4. For the purpose of self-defense
5. For the protection of persons or property
6. To maintain discipline

### C. Restraint

#### 1. Definitions

Restraint is defined under state law and this policy as any method or device used to involuntarily limit freedom or movement, including but not limited to bodily physical force, mechanical devices, chemical restraint, physical restraint and seclusion.

Restraint does not include:

- a. the use of protective or adaptive devices for providing physical support, prevention of injury or voluntary or life-saving medical procedures,
- b. the holding of a student for less than five minutes by a staff person for protection of the student or other persons,
- c. the use of time-out.

Time-out is the placement of a student alone in a room or in a specific area of a room for the purpose of allowing the student to think about inappropriate behavior prior to rejoining class or other school-related activity.

## **2. Basis for use of restraint**

Staff may use restraint only in cases of emergency when other less restrictive alternatives have failed or the staff member determines that such alternatives would be inappropriate or ineffective under the circumstances.

An emergency is a serious, probable, imminent threat of bodily harm to self or others where there is the present ability to effect such bodily harm.

The purpose for using restraint shall be to prevent the continuation or renewal of the emergency. Restraint shall only be used for the period of time necessary to accomplish its purpose. In no event shall physical force be used beyond that which is necessary to limit the student's freedom of movement.

## **3. Duties relating to the use of restraint**

The staff member responsible for the restraint shall monitor any student held in a mechanical restraint at least every fifteen minutes to assure that the student is properly positioned, the student's blood circulation is not restricted, the student's airway is not obstructed, and the student's other physical needs are met.

No physical or mechanical restraint of a student shall place excess pressure on the student's chest or back or inhibit or impede the student's ability to breathe. A staff member shall observe the student at regular intervals to check on breathing ability.

## **4. Documentation and review**

As soon as is practical, staff shall make an appropriate notation of the use of restraint in the student's record and notify the building administration of the use of restraint. The administration shall review the use of restraint to determine whether it was in compliance with state law, Board policy, and this regulation.

Adopted: January 17, 2005