BEHAVIORAL CODE OF CONDUCT
and
BOARD OF EDUCATION POLICIES

RIGHTS AND RESPONSIBILITIES
OF
STUDENTS AND PARENTS

ANNUAL NOTIFICATIONS TO
PARENTS/GUARDIANS

August 2014
Board of Education

Ms. Joie Siegrist, District A
Ms. Debbie Lammers, District B
Mr. Bob Smith, District C
Mr. John Ahrens, District D
Mr. John Creighton, District E
Ms. Paula Peairs, District F
Mr. Mike Schiers, District G

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Mr. Greg Fieth, Chief Financial Officer
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Mr. Mark Mills, Area 2 Assistant Superintendent
Ms. Regina Renaldi, Area 3/Priority Schools Assistant Superintendent
Ms. Tori Teague, Assistant Superintendent for Assessment/Curriculum/Instruction
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Mr. Joe McBreen, Chief Information Officer
Mr. John Poynton, Executive Director of
Operational Development and Communications
District Vision Statement

To be an exemplary school district which inspires and promotes high standards of learning and student well being in partnership with parents, guardians and the community.

District Mission Statement

To educate each student in a safe learning environment so that they may develop to their highest potential and become contributing citizens.
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Electronic Recording Equipment
Please be aware, pursuant to Policy JLIF, JLIF-R: “Electronic recording equipment may be used to monitor student behavior on school premises, District property, and on District vehicles for the purpose of promoting safety.”

Sex offender lists available to parents
State law (C.R.S 22-1-124) requires that all schools annually notify parents of their rights to access law enforcement agency information concerning registered sex offenders. You may request this list at the law enforcement office governing your address or the address of the school your children attend. You must go in person and show proof of residency. Additional information can be found at the Colorado Bureau of Investigation’s web site at www.sor.state.co.us.

Colorado Revised Statute 22-33-104, Compulsory School Attendance
Every child who has attained the age of six years and is under the age of seventeen years shall attend public school for at least one thousand fifty-six hours if a secondary school pupil or nine hundred sixty-eight hours if an elementary school pupil during the school year.

Colorado Revised Statute 22-2-135, Children’s Food Allergy and Anaphylaxis Management Act
Each school year, parent(s)/guardian(s) are encouraged to provide the school nurse or building administrator with a supply of the student’s medication unless the student has a plan authorizing the student to self-administer medication. Policy JLCDA, Students with Food Allergies, is included in this manual along with the form to be used by the parent(s)/guardian(s) to provide information regarding your child’s food allergies.

Release of Information to Medicaid
As a Medicaid provider, St. Vrain Valley School District RE-1J will access Medicaid eligibility information for students enrolled in the St. Vrain Valley School District RE-1J from Health Care Policy and Financing (HCPF). HCPF is the designated Medicaid agency in the state. Directory information of name, date of birth, and gender will be released to HCPF to verify Medicaid eligibility of students in the District. The description of health and health-related services delivered to Medicaid eligible students will be released to Medicaid and/or the District billing agent for proper administration of the program. A dated record of all transactions will be kept on file at the St. Vrain Valley School District RE-1J School Medicaid office.

Nondiscrimination/Equal Opportunity Annual Notification
Please be advised that the educational programs, activities and employment opportunities offered by the District are offered without regard to race, color, creed, sexual orientation, sex, religion, marital status, national origin, ancestry, age or disability. The title, address and telephone number of the person designated to coordinate compliance activities is listed on pages 10 and 12 of this document. A sample of the forms are provided on pages 11 (Policy AC-E-2) and 12 (ACE-E-2), and are available on our website at www.svvsd.org.

Postsecondary Options/Concurrent Enrollment
Students who are capable of and wish to pursue college level work while in high school should be permitted to do so. Under state law, the postsecondary enrollment options are available to high school students meeting specified criteria for postsecondary study. Specific information is available in all high school counseling offices and on our counselor website, http://counseling.stvrain.k12.co.us/.

Please note, all Board of Education District Policies are available on our website, www.svvsd.org. From the main page, click on Board of Education, click on policies. The policies are divided by section, A – L.

Policies in this book are being revised and will be posted on our website upon revision. This book, updated with revised policy, is available on our website. It is the responsibility of the student/parent/guardian to review the current version.
CODE OF CONDUCT AND DISCIPLINE

BACKGROUND INFORMATION

The St. Vrain Valley School District supports discipline codes which define standards of conduct. Education proceeds effectively with fair, consistent discipline. Positive discipline promotes the development of self-discipline as a lifelong skill. The cooperation of students, parents, teachers, administration, and other district employees creates a safe climate conducive to the learning process and free from unnecessary disruptions.

To ensure the best educational environment for all students that is conducive to a safe climate, the principal or the person serving in that capacity may take disciplinary measures including, but not limited to: time-out; detention; in-school suspension; exclusion from activities; restitution for theft, damage or destruction of school or personal property; and suspension from school. The Superintendent has the authority to extend a suspension or expel a student.

The opportunity of obtaining an education at public expense is guaranteed to every student; however, there are inherent responsibilities on the part of students to conduct themselves in a manner that: (1) recognizes the objectives of the instructional program; (2) contributes to the learning process by using appropriate behavior through active and positive participation; (3) recognizes the authority of school personnel for maintaining a climate in which academic and personal growth can take place; and (4) respects the educational and personal rights of others.

The St. Vrain Valley School District is committed to and supports the juvenile justice system established by law. During Colorado Legislative Sessions, new statutes are passed which are then incorporated into the District’s Code of Conduct. The schools cooperate with law enforcement officers to the degree that this may be done legally, reasonably and without interference with the proper operation of the schools.

Special Education students will be expected to adhere to the District’s Code of Conduct unless their handicapping condition suggests otherwise. In such cases, the situation will be reviewed on an individual basis.

The Code of Conduct consists of three elements: (1) definitions of the most common disciplinary infractions; (2) a list of examples of infractions and the maximum disciplinary action at both elementary and secondary level; (3) several of the most commonly referenced district policies. If you have any questions on any item contained within this code, you are encouraged to call your school principal.

This Code applies to any student who is on school property, who is in attendance at school, or at any school sponsored activity, or whose conduct at any time or place has a direct effect on maintaining order, safety, or discipline in the schools, or has a direct and close relationship with the school’s programs or objectives.

A complete copy of district policies is available for review on the District website, www.svvsd.org. If you do not have access to the internet, please check with your school’s office.

Provisions of this Code of Conduct are subject to amendment from time to time.
DEFINITIONS OF DISCIPLINARY INFRACTIONS

These examples are not the only acts or conditions for which suspensions or expulsions are warranted, nor do they in any way limit this Code of Conduct.

1. **Arson:**
   Causing or attempting to cause damage by fire, smoke, or explosives or incendiary devices of any type, to any property, real or personal, owned or leased by the District, including vehicles.

2. **Assault on a School Employee:**
   Any assault as defined in the Colorado Criminal Code.

3. **Automobile Misuse:**
   The act of driving on the school grounds in a careless or reckless manner, speeding or illegal parking.

4. **Bus Misconduct:**
   The act of jeopardizing the welfare, safety and rights of bus drivers, fellow passengers and others while loading, unloading or riding the bus and similar inappropriate behaviors as described in JICC-R.

5. **Controlled Substance:**
   A controlled substance includes but is not limited to alcohol, marijuana, narcotic drugs, hallucinogenic or mind-altering/mood-altering drugs or substances, amphetamines, barbiturates, stimulants, depressants, anabolic steroids, any other substances defined as "controlled substances" by state and federal law, or any prescription or nonprescription drug, medicine, vitamin, homeopathic substance, or other chemical substances not taken in accordance with the Board policy and regulations on administering medicines to students.

6. **Computer Misuse:**
   Violation of the computer use agreement or other uses of District-owned computers. Violating school, classroom or teacher rules and directions.

7. **Dangerous Weapons:**
   The act of possession, using or threatening to use any object, device, instrument, material or substance whether animate or inanimate, used or intended to be used to inflict bodily injury. Included in this definition is any gun, including B-B or pellet type, or firearm (loaded or unloaded, working or not working) as more fully defined in JICI.

8. **Defiance of Authority/Insubordination:**
   The willful failure to respond or carry out a reasonable request by authorized school personnel.
   a. Unauthorized Petitions - The act of presenting petitions which contain obscenities, libelous statements and which are not within the bounds of reasonable conduct.
   b. Unauthorized Sale or Distribution - The act of selling or distributing or attempting to sell or distribute any object or substance which has not been authorized for sale or distribution by the building principal to any person on school property.
   c. Unauthorized Student Protest - The act of protesting which results in the disruption of the normal educational process.

9. **Disrespect:**
   To insult, call derogatory names, dishonor, or in any other manner abuse verbally, in writing, or in any form, a member of the District staff, official visitors to school property or student body.

10. **Extortion:**
    The act of extortion or borrowing or attempting to borrow any money or things of value from a person in the school unless both parties enter into the agreement freely and without the presence of either an implied or expressed threat.

11. **Fighting:**
    Participating in hostile physical contact.

12. **Fireworks/Explosives:**
    The act of possession, using or threatening to use any fireworks, explosives or other such instruments capable of inflicting bodily injury.
13. **Food Fight/Throwing of Food:**
The act of throwing food on or near school property.

14. ** Forgery/Lying/False Reporting:**
The act of falsely using, in writing or verbally, the name of another person, or falsifying time, dates, grades, addresses, or other data on school forms. Additionally, the fact of initiating a fire alarm or initiating a report warning of a fire or an impending bombing or other catastrophe without just cause. And, the act of falsely reporting incidents, or making false accusations or giving false testimony, to school personnel which would affect the welfare of others.

15. **Gambling:**
The act of betting for money or valuables.

16. **Graffiti:**
The act of willful defacing of property belonging to the school district or others.

17. **Guns/Firearms:**
See Dangerous Weapons

18. **Habitual Disrupter:**
A student who has been suspended three times during the course of the school year for causing a material and substantial disruption in the classroom, on school grounds, on school vehicles, or at school activities or events, because of behavior that was initiated, willful and overt on the part of the student as more fully set forth in Policy JK-R.

19. **Harassment/Discrimination:**
To insult, to call derogatory ethnic names, to dishonor, or in any other manner, abuse verbally, or in writing including negatively imitating physical mannerisms of any member or any person based on their race, color, national origin, religion, sex or handicapping condition.

20. **Inciting Others:**
By words, acts, or deeds giving encouragement to demonstrations or protests which disrupt the normal educational process of the school. This would include any “gang” activity within the school.

21. **Loitering:**
The act of being in or about any school building, or in specifically restricted areas of a school building or campus at unauthorized times or without the specific authorization of the school’s personnel.

22. **Obscene Conduct/Language:**
The act of offending commonly recognized standards of propriety, health or safety. This includes the act of using obscene or profane language in verbal, physical or written form or in pictures, caricatures or obscene gestures on any school property.

23. **Physical Assault:**
Aggressive, hostile physical contact with students, school employees or any person. The act of physically assaulting any person on or off school grounds, including any activity under school sponsorship.

24. **Robbery:**
Knowingly taking anything of value from a person or from the person or presence of another by the use of force, threats, or intimidation.

25. **Scholastic Dishonesty:**
The act of cheating on any test, quiz, or class assignment, or plagiarism of another’s work or workproduct, or the unauthorized collaboration with another person in preparing any written work or workproduct submitted as the work of one student.

26. **Sexual Assault:**
Any willful inappropriate physical contact with others which is of a sexual nature, including without limitation, touching of another’s intimate parts or the clothing covering another’s intimate parts, (as defined by the Colorado Criminal Code); and including all forms of unlawful sexual behavior as set forth in the Colorado Criminal Code to include sexual assault of the first, second, and third degree, as well as sexual assault on a child.
27. **Tardiness:**
The act of lateness to school, class, homeroom, or any other part of the student’s schedule.

28. **Theft:**
The act of taking or acquiring the property of others without their consent.

29. **Threatening:**
The act of verbally, in writing or by gesture threatening the well-being of any person on school property or en route to or from school.

30. **Tobacco - Use/Possession:**
The act of possession or using tobacco on or off school property.

31. **Trespass:**
The act of entering or remaining unlawfully in any school building or grounds including unlawful gatherings that disrupt the educational process.

32. **Truancy:**
The act of unauthorized absences for any portion of the day from school, class, study hall, or any other part of the school day.

33. **Vandalism-School Property:**
The act of willful destruction of property belonging to the St. Vrain Valley School District. This shall also include tampering with or causing the discharge of any sprinkler system or other apparatus installed in a school building for the prevention of fire or for the safety of the school population or school property.

34. **Vandalism-Other:**
The act of willful destruction of property belonging to others.

35. **Violations of Policy JICA, Dress Code:**
Inappropriate attire as defined by Policy JICA.

36. **Violations of Colorado Revised Statute: 18-7-801**
It is considered a criminal invasion of privacy to “knowingly take photographs of another’s intimate parts, without that person’s consent, in a situation where the person has a reasonable expectation of privacy.” This would apply to, among other situations, the use of a camera phone in a locker room.
BEHAVIOR INFRACTIONS AND MAXIMUM SANCTIONS

The following is a list of behavioral infractions. Depending on the severity of the infraction in each of the areas listed below, students may be subject to the maximum penalty of suspension and/or expulsion proceedings. There may be other infractions that are not listed here that may also result in suspension and/or expulsion. Those responsible for administering discipline may impose lesser punishments for these infractions depending on the specific circumstances of the incident. Some of these are mentioned under Background Information on Page 1.

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Nondiscrimination/Equal Opportunity

The Board is committed to providing a safe learning and working environment where all members of the school community are treated with dignity and respect. No qualified student or employee shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any District program or activity on the basis of race, color, national origin, religion, sex, marital status, age or disability. Discrimination against employees based on ancestry, creed or sexual orientation is prohibited in accordance with state law.

In keeping with these statements, the following shall be objectives of the St. Vrain Valley School District:

1. To promote the rights and responsibilities of all individuals as set forth in the state and federal constitutions, pertinent legislation and applicable judicial interpretations.
2. To encourage positive experiences in human values for children and adults who have differing personal and family characteristics or who come from various socioeconomic, racial and ethnic groups.
3. To consider carefully, in all decisions made which affect the schools, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
4. To utilize educational experiences to build each individual’s pride in the community in which he or she lives.
5. To initiate a process of reviewing all policies and practices of the District in order to achieve to the greatest extent possible the objectives of this policy.
6. To investigate and appropriately discipline employees and students found to be responsible for incidents of harassment or discrimination in violation of District policy.

Annual Notice

The District shall issue a written notice prior to the beginning of each school year that advises students, parents, employees and the general public that the educational programs, activities and employment opportunities offered by the District are offered without regard to race, color, creed, sexual orientation, sex, religion, marital status, national origin, ancestry, age or disability. The announcement shall also include the title, address and telephone number of the person designated to coordinate Title IX and Section 504 and ADA compliance activities.

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

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

Harassment is Prohibited

Harassment based on a persons race, color, creed, sexual orientation, sex, religion, marital status, national origin, ancestry, age or disability is a form of discrimination prohibited by state or federal law. Preventing and remedying such harassment in schools is essential to ensure a nondiscriminatory, safe environment in which students can learn and employees can work. All such harassment, by District employees, students and third parties, is strictly prohibited.

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

For purposes of this policy, harassment is any unwelcome, hostile and offensive verbal, written or physical conduct based on or directed at a persons race, color, creed, sexual orientation, sex, religion, marital status, national origin, ancestry, age or disability that: (1) results in physical, emotional or mental harm, or damage to property; (2) is so severe, persistent, or pervasive that it creates an intimidating, hostile or threatening environment; or (3) substantially disrupts the orderly operation of the school. Board policies GBAA and JBB will apply to complaints alleging sexual harassment.

Reporting Harassment

Any student who believes he or she has been a victim of unlawful discrimination or harassment as defined in this policy shall immediately report it to an administrator, counselor, teacher or compliance officer.

All students who witness such harassment shall immediately report it to an administrator, counselor or teacher. All employees who have such harassment reported to them shall promptly forward the report to an immediate supervisor or to the compliance officer.

All District employees who witness such harassment shall take prompt and effective action to stop it, as prescribed by the District. Under certain circumstances, harassment may constitute child abuse that must be
reported to the proper authorities.

**Interim District Action**

When appropriate, the District shall take interim measures during the investigation of a harassment report to protect the alleged subject of the harassment from further harassment or retaliation.

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

**District Action Following Investigation**

The District shall take appropriate action to end the unlawful harassment, to prevent its recurrence, to prevent retaliation against the individual making the report and anyone participating in the investigation and to restore lost educational opportunities to the harassed student or employment opportunity to employees. In addition, any student or employee who engages in harassment of another student or employee shall be disciplined according to applicable District policies. Steps shall also be taken to ensure that victims of, and witnesses to, harassment are protected from retaliation. Further, students or employees who knowingly file false harassment complaints or give false statements in an investigation shall be subject to discipline, up to and including suspension/expulsion for students and termination of employment.

No student or employee shall be subject to adverse treatment in retaliation for any good faith report or harassment under this policy. To the extent possible, all reports of harassment will be kept confidential. Upon determining that incidents of harassment are occurring in particular District settings or activities, the District shall implement measures designed to remedy the problem in those areas or activities.

**Notice and Training**

To reduce harassment and ensure a respectful school environment, the administration is responsible for providing notice of this policy to all District schools and departments. The policy and compliance process shall be incorporated into student and employee handbooks.

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

- awareness of groups protected under state and federal law and/or targeted groups, real or perceived:
- how to recognize and react to harassment; and
- proven harassment prevention strategies

**Nondiscrimination/Equal Opportunity (Complaint and Compliance Process)**

The District shall respond to complaints of discrimination and/or harassment reported; take action in response when discrimination and/or harassment is discovered; impose appropriate sanctions on offenders in a case-by-case manner; and protect the privacy of all those involved in discrimination and/or harassment complaints to the extent practical and appropriate under the circumstances. These actions shall apply to the extent permitted by law or where personal safety is not an issue. Under certain circumstances, the complaint may be referred to law enforcement for investigation.

The District has adopted the following procedures to promptly and fairly address concerns and complaints about discrimination and/or harassment.

**Definitions**

The term “compliance officer” means an employee designated to act as such by the Board of Education. That individual shall be identified by name, address and telephone number (Exhibit AC-E-1). If the designated individual is not qualified or is unable to act as such, the Superintendent shall designate an administrator who shall serve until a successor is appointed by the Board.

The term “aggrieved individual” shall mean a student, the parents/guardians of a student under the age of 18 acting on behalf of a student, a student over the age of 18, or an employee of the District who is directly affected by an alleged violation of District policies prohibiting discrimination or harassment.

**Complaint Procedure**

An aggrieved individual who believes he or she has been subject to harassment or discrimination in violation of law and District policy is encouraged to report the incident as provided in Board policy. All reports received by teachers, counselors, principals or other District employees shall be forwarded to the compliance officer.

Within 2 days of receiving the report, the compliance officer shall direct a representative of the District to meet with the aggrieved individual in order to obtain a clear understanding of the basis of the complaint and to discuss
what action the aggrieved individual is seeking.

At this meeting, the District representative shall explain that the District is required by law to take steps to correct the harassment and to prevent recurring harassment or retaliation against anyone who makes a harassment report or participates in an investigation. The District representative shall also explain that any request for confidentiality shall be honored so long as doing so does not preclude the District from responding effectively to the harassment and preventing future harassment.

A District representative shall make such additional investigation as is necessary to determine the complete facts involved. Such an investigation may include interviewing the parties and any witnesses. If the alleged harasser is a student, the District will attempt to include his or her parents/guardians during the student interview. Anyone interviewed shall be informed only of those facts which, in the District representative’s judgment, are necessary to achieve a full and accurate disclosure of material facts or to obtain an informal resolution.

The District representative may consider the following types of information in determining whether unlawful harassment occurred:

a. statements by any witness to the alleged incident,
b. evidence about the relative credibility of the parties involved,
c. evidence relative to whether the alleged harasser has been found to have harassed others,
d. evidence of the aggrieved individual’s reaction or change in behavior following the alleged harassment,
e. evidence about whether the individual claiming harassment took action to protest the conduct,
f. evidence and witness statements or testimony presented by the parties involved,
g. other contemporaneous evidence,
h. any other evidence deemed relevant by the compliance officer.

In deciding whether conduct is sufficiently severe, persistent or pervasive to be a violation of law or policy, all relevant circumstances shall be considered by the District Representative, including:

a. the degree to which the conduct affected one or more student’s education or one or more employee’s work environment,
b. the type, frequency and duration of the conduct,
c. the identity of and relationship between the alleged harasser and the aggrieved individual,
d. the number of individuals involved as alleged harassers and as subjects to the harassment,
e. the age of the alleged harasser and the aggrieved individual,
f. the size of the school, location of the incident and context in which it occurred,
g. other incidents at the school.

The District representative shall prepare a written report within 15 days, unless additional time to complete the investigation is necessary. The written report shall include a summary of the investigation, a determination of whether the complaint has been substantiated as factual, and recommendations, as appropriate. Findings of the investigation shall be provided to the compliance officer and the Superintendent. The report may be used by the Superintendent or other District administration officials as a basis for disciplinary or other appropriate action.

504 Review Process
An aggrieved individual (or his or her parent/guardian) may request a review or hearing under Section 504 by filing a written request for review with the compliance officer. If intent to seek a due process hearing under Section 504 is not clear from the face of a request, the compliance officer may contact the aggrieved individual to clarify the request and ascertain whether he or she wishes to initiate a Section 504 due process hearing.

After receipt of the written request, the compliance officer shall transfer the record within 5 school days to the Superintendent or designee for formal resolution and so notify the parties by certified mail.

After reviewing the record made by the compliance officer, the Superintendent or designee may gather additional evidence necessary to decide the case and/or determine that a hearing is necessary. At such time, the matter should be referred to a hearing officer for further fact-finding. The hearing officer will be designated by the Superintendent.

The hearing shall be informal. The hearing officer shall provide the affected person a written statement of charges, evidence and reasons supporting the proposed adverse action. A student shall be entitled to be represented by his/her parent or by an attorney. An employee shall be entitled to be represented by an attorney or other representative of his/her choice. The complainant shall appear at the hearing and shall be entitled to present testimony and other evidence. Formal rules of evidence shall not apply. The compliance officer or designee may represent the District at the hearing and shall likewise be entitled to present testimony and other evidence. The hearing shall be closed to the public. The hearing officer shall make a recommendation to the
Superintendent based upon evidence presented at the administrative hearing.

Within 10 school days of receiving the record from the hearing, the Superintendent or designee shall determine any sanctions or other action deemed appropriate, including recommendations to the Board for disciplinary or other action.

A complaint may also be made to the Office of Civil Rights at any time before or during the District’s grievance procedures at: The Office of Civil Rights, U.S. Department of Education, Region VIII, Federal Office Building, 1244 North Speer Boulevard, Suite 310, Denver, Colorado, 80204.

District Action
The District shall take appropriate action to end the harassment, to make the victim whole by restoring lost educational or employment opportunities, to prevent harassment from recurring and to prevent retaliation against anyone that reports harassment or participates in a harassment investigation.

All parties involved in an investigation of harassment or discrimination, including the parents/guardians of all students involved, shall be notified by the Superintendent when the investigation has been completed and that appropriate corrective measures have been taken. If disciplinary action is recommended for a student or employee, that action shall proceed in accordance with applicable District policy. Remedial and/or disciplinary actions shall include measures designed to stop the harassment, correct its negative impact on the affected individual, and ensure that the harassment does not recur.

Nothing contained herein shall be interpreted to confer upon any person the right to a hearing independent of a Board policy, administrative procedure, statute, rule, regulation, or agreement expressly conferring such right. This process shall apply, unless the context otherwise requires and unless the requirements of another policy, procedure, statute, rule, regulation or agreement expressly contradicts with this process, in which event the terms of the contrary policy, procedure, law, rule, regulation or agreement shall govern.

File: AC-E-1 Adopted May 28, 2008

Nondiscrimination/Equal Opportunity

In compliance with Titles VI & VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act and Colorado law, the St. Vrain Valley School District does not unlawfully discriminate on the basis of race, color, creed, ancestry, sex, religion, national origin, age, marital status, sexual orientation or disability in admissions, access to, treatment, or employment in educational programs or activities which it operates.

Complaint procedures for Title IX and Section 504 have been established for students, parents and employees.

Nondiscrimination on the Basis of Disability

The Section 504/ADA District compliance officer for the St. Vrain Valley School District is:
Superintendent or Designee
Educational Services Center
395 S. Pratt Parkway
Longmont, CO 80501
Telephone: (303) 776-6200

Nondiscrimination on the Basis of Sex (Compliance with Title IX)

The Title IX District compliance officer for the St. Vrain Valley School District is:
Superintendent or Designee
Educational Services Center
395 S. Pratt Parkway
Longmont, CO 80501
Telephone: (303) 776-6200

Complaints may also be filed with the Office of Civil Rights, U.S. Department of Education, Region VII, Federal Office Building, 1244 North Speer Boulevard, Suite 310, Denver, Colorado, 80204.
Nondiscrimination on the Basis of Disability

The Board is committed to a policy of nondiscrimination in relation to race, color, creed, sex, religion, national origin, age, marital status, sexual orientation, ancestry or disability. With regard to disability, the Board recognizes that each student or employee who has one or more disabilities also has vast capabilities and interests which enable them to make significant contributions to their school community and in their relationships with others around them. The Board welcomes the presence and real participation of each student and employee who has a disability, and encourages all staff, students and patrons to create a welcoming and supportive environment for everyone who participates in any aspect of public education within the District.

1. Designation of Responsible Employee

The Board shall designate an individual as the responsible employee to coordinate District compliance with Section 504 of the Rehabilitation Act and its administrative regulations and with the Americans with Disabilities Act.

The designee, the District's Section 504/ADA compliance officer, shall formulate procedures for carrying out the policies in this statement and shall be responsible for continuing surveillance of District educational programs and activities with regard to compliance with Section 504/ADA and its administrative regulations.

The designee shall, upon adoption of this policy and once each academic year thereafter, notify all students and employees of the District of the title, address and telephone number of the Section 504/ADA compliance officer. Notification shall be by posting and/or other means sufficient to reasonably advise all students and employees.

2. Grievance Procedure

All students and employees shall have a ready means of resolving any claim of discrimination on the basis of disability in the facilities, educational programs or activities of the District.

In the event a student or employee believes that there has been a violation of Section 504/ADA or its administrative regulations, he/she shall mail or deliver to the employee designated as Section 504/ADA compliance officer a written statement setting out the alleged violations in specific terms, describing the incident or activity involved, the individuals involved and the dates, times and locations involved (See ACE-E-2 and AC-R).

3. Dissemination of Policy

The Superintendent shall notify applicants for admission, students, parents of elementary and secondary school students, sources of referral of applicants for admission, employees and applicants for employment that it does not discriminate on the basis of disability in the educational programs or activities which it
Nondiscrimination on the Basis of Disability

The Section 504/ADA District compliance officer for St. Vrain Valley School District is:
Superintendent of Designee
Educational Services Center
395 S. Pratt Parkway
Longmont, CO 80501
Telephone: (303) 776-6200

Nondiscrimination on the Basis of Disability

(Grievance Form)

Tobacco-Free Schools

To promote the general health, welfare and well-being of students and staff, smoking, chewing or any other use of any tobacco products by staff, students and members of the public is prohibited on all school property.
Possession of any tobacco product by students is also prohibited on school property.
For purposes of this policy, the following definitions shall apply:
1. “School property” means all property owned, leased, rented or otherwise used or contracted for by a school including, but not limited to, the following:
   a. All indoor facilities and interior portions of any building or other structure used for children under the age of 18 for instruction, educational or library services, routine health care, daycare or early childhood development services, as well as for administration, support services, maintenance or storage. The term does not apply to buildings used primarily as residences, i.e., teacherages.
   b. All school grounds over which the school exercises control including areas surrounding any building, playgrounds, athletic fields, recreation areas and parking areas.
c. All vehicles used by the district for transporting students, staff, visitors or other persons.

d. At all school sanctioned activities or events.

2. “Tobacco product” means:
   a. Any product that contains nicotine or tobacco or is derived from tobacco and is intended to be ingested or inhaled by or applied to the skin of an individual, including but not limited to cigarettes, cigars, pipe tobacco, snuff and chewing tobacco; and
   b. Any electronic device that can be used to deliver nicotine to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo or pipe.
   c. “Tobacco product” does not include any product that has been approved by the appropriate federal agency as a tobacco use cessation product.

3. “Use” means lighting, chewing, smoking, ingesting or application of any tobacco product.

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

Employees found to be in violation of this policy shall be subject to appropriate disciplinary action.

Any member of the general public considered by the superintendent or designee to be in violation of this policy shall be instructed to leave school district property.

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

File: ECAC Revised January 14, 2009

Vandalism

The school system's buildings and grounds are built and maintained with taxes levied on the community's taxpayers, and all damage caused must be paid for in the same way. Therefore, every citizen of the district, students and members of the police department are urged by the Board to cooperate in reporting any incidents of vandalism to property belonging to the district and the name of the person or persons believed to be responsible. Each employee of the district shall report to the principal of the school every incident of vandalism known to them and, if known, the names of those responsible.

The superintendent, the principal or their designee is authorized to sign a criminal complaint against persons suspected of vandalism against school property.

Students who willfully or maliciously destroy school property through vandalism or arson or who create a hazard to the safety of other people on school property may be referred to law enforcement authorities. Vandalism includes the knowing and unauthorized use, alternation, damage or destruction of any computer, computer system, software, program or computerized data. Students who are caught vandalizing school property may be suspended and/or expelled.

It is the intent of the Board of Education to seek damages as permitted by law from students who vandalize school property and/or their parents or guardians.

File: EHC Revised January 9, 2013

Technology, Access and Digital Communication

The Board is committed to connecting students and staff with each other and with resources around the world for improved collaboration and fast access to current information. Similarly, the Board is committed to providing access to information and expert resources for all of our students. Our students and staff both consume and create information, and it is the job of the District to provide safe and reliable opportunities and spaces for students and staff to do both.

Students and staff not only need access to valuable information and to available experts around the world, they need to develop the ability to locate, access, evaluate, communicate and apply current information. Developments of these abilities are a fundamental educational outcome for all St. Vrain Valley students.

In pursuit of these commitments, the Board has directed the Superintendent to equip schools and offices with adequate technology equipment and to create and maintain a network that interconnects all District facilities.

Furthermore, the District shall provide access to the Internet via said network. Computer, network and Internet use are privileges the Board wants to offer staff, students, and guests of the District, but these privileges are subject to certain standards of use. They are also subject to the ongoing availability of resources for support and for upgrades to equipment and infrastructure, and to necessary procedures and restrictions imposed for the
purpose of managing networks and systems, all with the end goal of supporting teaching and learning within the District.

The District shall serve as stewards of the work produced by students and staff on District-provided resources by allowing access in such a way as to permit students to collect work over time and to take that work with them.

Technology is constantly in flux, but the security, safety and opportunity of and for our staff and students is paramount. Staff and students are encouraged to use our networks in support of teaching and learning, recognizing that there is an inherent responsibility to protect one’s self, others, and property in the process. To minimize risk, the District employs a number of tools and monitoring technologies, such as filters, designed to comply with relevant laws as well as to create a reasonable expectation of safety. It is ultimately up to each individual student or staff member to be responsible for his or her use of these networks and to understand the specifics of EHC-R and other policies as they pertain to computer, network and Internet use. The District shall provide web filtering that blocks material and information that is obscene, child pornography or otherwise harmful to minors, as defined by the Superintendent, in compliance with Federal and State mandates.

**File: EHC-R Revised April 18, 2012**

**St. Vrain Valley School District**

**Terms, Conditions and Responsible Use Guidelines**

**General Information**

The smooth operation of the District’s network relies upon users adhering to established standards of proper conduct. In order to be granted access to the District’s network, a user must adhere to the provisions of the District’s policies and regulations governing the use of the network. Unless otherwise indicated by Human Resources, compliance with these policies is a condition of employment in the St. Vrain Valley School District (SVVSD). In general, this requires efficient, ethical, and legal utilization of the District network. If a user violates District network policies, regulations, procedures or guidelines, access to the District network may be denied and other legal or disciplinary action may be taken. The District will cooperate fully with local, state, or federal officials in any investigation concerning or relating to misuse of the District network. The District network is the property of the District and its use is a privilege, not a right.

Only Board members, staff members, and students enrolled in the District will be granted access to the District network. Occasional exceptions are made in order to include individuals in the employ of other agencies who are routinely on duty at a school site and who provide direct services to District students and/or teachers or guests who are involved in an educational activity at a District function. These exceptions must be approved by the appropriate director prior to being processed. Procedures for access to the District network are managed and maintained by District Technology Services.

**Rules of use**

**Users will:**

- Use the District network in support of educational and administrative objectives and in a way which is consistent with the mission and curriculum of the St. Vrain Valley School District.
- Abide by local, state, and federal laws such as, but not limited to, the Copyright Law, licensing laws, privacy laws, and District policies and regulations, as well as District and school-based guidelines.
- Abide by the acceptable use agreement of any accessed network.
- Be responsible for maintaining confidentiality of passwords and protecting accounts from misuse.
- Change their password as soon as the District issues their account.
- Change passwords frequently and as required by the District.
- Ensure electronic communication you send to yourself from a non-District account will meet District requirements for acceptable use.
- Access network systems only by the owner of the account or owner/administrator’s authorization.
- Access the District network only through District-approved resources and/or services.
- Be held responsible for damage done to the SVVSD network, software, data, user accounts, hardware and for unauthorized costs incurred by users.

**Users will not:**

- Use the District network to harass any person on the basis of race, color, sex, religion, national origin, age, disability, or any other basis. (District policies and regulations prohibiting harassment apply to the use of the District network.)
- Use the District network to access, process, generate, or distribute pornographic or obscene material, inappropriate text or graphic files, files which may be harmful to themselves and others, or files dangerous to
• Attempt to circumvent security measures or filters.
• Load, install, redistribute or access software on District assets without permission from District Technology Services (DTS) (i.e., open source, illegal, not owned and licensed by SVVSD).
• Install hardware not owned and licensed by the District, unless specifically approved by DTS.
• Use the District network for private financial gain, commercial advertising, or solicitation purposes.
• Use the District network to solicit, proselytize, advocate or communicate the views of any non-school sponsored organization, or to raise or solicit funds for any non-school related or non-school sponsored entity or organization, whether for profit or not-profit.
• Use the District network to establish any non-approved website.
• Perform an act that plagiarizes the work of another without express consent.
• Spread falsehoods about a person that lowers the affected individual in the eyes of the community.
• Pretend to be someone else when sending/receiving electronic communications.
• Reveal personal information such as addresses or phone numbers of the user or others.
• Use the District network in such a way that would disrupt the use of the District network by other users.
• Send frivolous or excessive messages and images.
• Create, send, or forward chain letters or any other message type that causes District network congestion or interferes with the delivery of electronic communication to others.
• Send electronic communication to anyone who asks you not to.
• Forge or attempt to forge electronic messages.
• Attempt to read, delete, copy, or modify the electronic communication of other system users or interfere with the ability of other system users to send/receive electronic communication.
• Download attachments into the District system that do not meet these responsible use guidelines.
• Access the District network without permission.

Websites
All SVVSD websites are for the purpose of communicating with our public and encouraging student attainment of adopted proficiencies. Principals and Directors are responsible for all content on their web pages. DTS will not be responsible for quality nor accuracy of pages submitted by schools.
• Only content and links which support the SVVSD mission and programs are acceptable, and all must comply with this policy.
• If students prepare pages meant to officially represent the school or a District program, every link must be tested by a supervising faculty member prior to submission.
• Websites must follow Fair Use Guidelines for content and follow other applicable trademark and copyright laws.
• Unapproved outside hosting of District websites is not permitted.
• District websites or other Internet venues will not contain private student information unless that information is part of a secure service authorized by the District.
• Student photos may not be used without prior parent/guardian permission in writing. Students’ last names shall not accompany photos, except for secondary students. No other personally identifiable student information may be included on an openly accessible webpage/electronic messaging system (address, phone number, email address, etc.). School staff is responsible for collecting and retaining, on file, all active parent photo permits.
• Any domain used by an SVVSD organization must be owned by SVVSD.

Monitored use
• The District reserves the right to access, retrieve, print, read, disclose to third parties or otherwise monitor (i) all messages (including personal messages) sent or received through its electronic communications system; (ii) all sites visited and files downloaded on the Internet; and (iii) all other uses of the District network.
• Reasons for which the District or others authorized by it may access such information include, but are not limited to: (i) to provide for the safety and security of minors; (ii) to determine whether a violation of this policy or other District policies has occurred; (iii) to investigate and repair a failure or error in the network system; or (iv) to obtain information requested by a third party in litigation or in response to a government investigation.
• Messages sent over the District network (including personal messages) and other uses of the District network should not be considered private or confidential.
• Your use of the District network constitutes consent to access by the District or others authorized by it to electronic messages sent and received by you, to sites visited on and files downloaded from the Internet and to all other uses of the District network.
Electronic communication sent or received by the Board, District employees or students, including electronic communications on District-owned equipment, as well as other documents generated through use of the District network, may be considered a public record subject to disclosure or inspection under the Colorado Open Records Act.

**Teachers monitoring student use of network shall:**
- Review with students the District network policies, regulations, and responsible use guidelines, to include Internet safety information, guidelines for appropriate online behavior including use of social networks, and cyberbullying awareness and response, as well as applicable acceptable use agreements.
- Maintain supervision of students using the District network.
- Report to appropriate District personnel any inappropriate materials that are found to be accessible
- Report to appropriate District personnel inappropriate behavior.

**Damage caused by a user**
- Any attempt to harm or destroy any District equipment or materials, data of another user of the District system, or any other networks is prohibited.
- Any harm or destruction that is the result of negligence to any District equipment or materials, the data of another user of the District system, or any other networks is prohibited.
- Attempts to degrade or disrupt system performance will be viewed as violations of District policy and administrative regulations.

**I understand:**
- The District is not responsible for users’ inability to access or receive any outside electronic communications.
- The District system is provided on an “as-is, as-available” basis.
- The 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 by the District of the content, nor does the District make any guarantee as to the accuracy or quality of information received. The District shall not be responsible for any damages, losses or costs a staff member 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 user’s own risk.
- The District does not warrant that the functions or services performed by, or that the information or software contained on, the system will meet the system user’s requirements, or that the system will be uninterrupted or error-free, or that defects will be corrected.
- Opinions, advice, services, and all other information expressed by system users, information providers, service providers, or other third party individuals in the system are those of the providers and not the District.

**Consequences**
Failure to adhere to District policies, regulations, procedures or guidelines regarding the use of the District network may result in immediate suspension of access to the District network. Violation may also result in disciplinary action including, but not limited to, termination of employment, suspension, expulsion, and liability for damages. Users may also be subject to all civil and criminal penalties as defined in any applicable local, state or federal laws.

**File: EHC-E2 Revised December 11, 2013**

**Student Responsible Use Guidelines**
**For Technology, Access and Digital Communication**
St. Vrain Valley School District RE-1J

The St. Vrain Valley School District offers students access to computers and the Internet to support the District vision and mission. In order to provide open access to the resources, tools and equipment we believe are essential to teaching and learning, it is important that users understand their responsibilities and conduct themselves as responsible learners at all times. Listed below are guidelines that outline responsible use.

**I will:**
- Keep private information private. (My password and identity are mine and not to be shared.)
- Treat others with respect, both online and offline.
- Report anyone who tries to use technology or the Internet to hurt or harass me to a teacher or other adult.
- Strive to be a responsible digital citizen.
- Encourage others to be good digital citizens.
- Have appropriate conversations in all my interactions with others.
- Tell adults when someone makes me uncomfortable.
• Use technology for school-related purposes
• Credit my sources when I am using other people’s information, images or other material.
• Respect the work of other students and not try to copy, damage, or delete their work.
• Follow District policies, rules, and regulations.
• Ask for permission before connecting my own devices to the District network.
• Take care of District computer equipment.

I will not:
• Read another student’s private communications without permission.
• Use improper language or pictures.
• Use communication tools to spread lies about others.
• Pretend to be someone else online.
• Give out my full name, password, address or any other personal information to someone I don’t know.
• Give out the full names and addresses of others.
• Send e-mail to anyone who asks me not to.
• Look for, read, view, or copy inappropriate pictures or information.
• Load my own software on the District network to use at school, unless I have received permission.
• Try to get access to or make technology or network do things not approved by my school and the District.
• Seek out or share passwords of others.

I understand:
• That sometimes my computer work may be lost and I should be careful to back up important work.
• That some things I read on the Internet may not be true.
• That the computers and network belong to the District and that using them is a privilege, not a right.
• That the computers, network and printers may not work everyday.
• That it is my responsibility to make sure that the devices I use on the District network are approved.
• That the things that I do using a school computer or network are not private and that my teachers and District staff may review my work and activities at any time.
• That it is my responsibility to read and abide by the terms and conditions of Board Policy EHC-R and all revisions.

Consequences for misuse
I might not be allowed to use the computers or the District network if I break these rules.
I may be suspended or expelled from school if I act irresponsibly.

File: IHAM/IHAMB Revised September 12, 2007

Health Education
The Board is committed to a comprehensive health education and health service program as an integral part of each student’s general education. The health education program should emphasize contemporary health information and teach the skills and knowledge necessary for students to understand the function and care of the human body. Such education shall be in support of a parent or guardian’s responsibility to assist their child in developing positive, lifelong health habits and value systems; and provide social support for their attitudes and beliefs. The Board believes that one of the greatest opportunities for effective health education lies within the public schools because of the opportunity to reach almost all students at an age where positive, lifelong health habits may be engendered.

The goal of the health education program is to provide students with relevant, accurate, reliable and up-to-date information and skills to make healthy decisions regarding their social, physical, emotional and mental health. Specifically, this will include strategies to support and maintain healthy choices in the standards of Wellness, Addiction and Abuse, Human Growth Development and Human Sexuality, Safety and Emergency Care, Diversity Awareness and Violence Awareness.

In health education courses, students shall be presented with information regarding the complex health related issues which can be encountered in the broad school environment as well as in society. Students will examine the cause and effect of the outcomes of health related choices. Instruction will be given that will emphasize, promote and support abstinence from behaviors that may be harmful to an individual’s health, as well as develop skills in making healthy alternate choices.

In addition to the requirements listed below, the Board policies and regulations concerning the approval of new curriculum content, units and materials shall apply to any comprehensive health education courses offered by the District:
1. Instructional materials to be used in comprehensive health education courses shall be available for inspection by the public during school hours. A public forum shall be scheduled to receive public comments.

2. Parents/guardians of all students shall be notified that such courses have been scheduled and that they may request that their child be exempt, without penalty, from a specific portion of the program on the grounds that it is contrary to their religious beliefs or personal values.

3. The Superintendent or designee shall approve an exemption procedure. Principals will review and decide if an individual’s exemption request will be granted. If a student is granted an exemption, an alternate learning activity supporting the standard will be arranged.

4. Teachers who provide instruction in comprehensive health education shall have professional preparation in the subject area.

5. Parents/guardians must give their written consent for students to opt-in to a birth control demonstration learning activity. If a student does not have parent/guardian consent, an alternate learning activity supporting the standard will be arranged.

**File: IHAM/IHAMB-R Revised September 12, 2007**

**Health Education**

Health education has specific content and skills that are crucial for students to understand and communicate in order to maximize good health and minimize negative health behaviors. The District has identified six content areas as necessary for a comprehensive health education program. These content areas include:

1. Wellness (physical, social, mental/emotional and spiritual)
2. Violence Awareness
3. Addiction and Abuse
4. Human Growth Development and Human Sexuality
5. Diversity Awareness
6. Safety and Emergency Care

Students in grades K-5 know and are able to:

- Identify relationships between physical wellness and healthy lifestyles, health behaviors and health risks.
- Identify relationships between mental/emotional, social and spiritual wellness, and health lifestyles, health behaviors and health risks.
- Identify relationships between violence awareness and healthy lifestyles, health behaviors and health risks.
- Identify relationships between addiction and abuse and healthy lifestyles, health behaviors and health risks.
- Identify relationships between human growth development and human sexuality and healthy lifestyles, health behaviors and health risks.
- Identify relationships between diversity awareness and healthy lifestyles, health behaviors and health risks.
- Identify relationships between safety and emergency care and healthy lifestyles, health behaviors and health risks.

Students in grades 6-8 extend their knowledge and are able to:

- Explain relationships between physical wellness and healthy lifestyles, health behaviors and health risks.
- Explain relationships between mental/emotional, social and spiritual wellness, and healthy lifestyles, health behaviors and health risks.
- Explain relationships between violence awareness and healthy lifestyles, health behaviors and health risks.
- Explain relationships between addiction and abuse and healthy lifestyles, health behaviors and health risks.
- Explain relationships between human growth development and human sexuality and healthy lifestyles, health behaviors and health risks.
- Explain relationships between diversity awareness and healthy lifestyles, health behaviors and health risks.
- Explain relationships between safety and emergency care and healthy lifestyles, health behaviors and health risks.

Students in grade 9 extend their knowledge and are able to:

- Analyze relationships between physical wellness and health lifestyles, health behaviors and health risks.
- Analyze relationships between mental/emotional, social and spiritual wellness, and health lifestyles, health behaviors and health risks.
- Analyze relationships between violence awareness and healthy lifestyles, health behaviors and health risks.
- Analyze relationships between addiction and abuse and healthy lifestyles, health behaviors and health risks.
- Analyze relationships between human growth development and human sexuality and healthy lifestyles, health behaviors and health risks.
- Analyze between diversity awareness and healthy lifestyles, health behaviors and health risks.
- Analyze relationships between safety and emergency care and healthy lifestyles, health behaviors and health risks.
Curriculum Implementation Requirements

The following approaches to implementing health education curriculum in the District should be followed:

1. Parents/guardians of all students shall be notified that health education courses have been scheduled and that they may request their child be exempt from a specific portion of the program. An alternate educational learning activity that supports the standards will be arranged for exempted students.

2. At the elementary level, boys and girls should be separated for any instruction related to human sexuality. At this level, it is preferable to have such topics taught by same gender teachers. This gender separation requirement does not apply to middle or senior high school.

3. Teacher selection and training is critical in health education to provide a consistent approach to curriculum. Teachers and/or outside professionals who present the required curriculum shall: (a) be comfortable with the subject matter and be able to deliver the curriculum and answer student questions in a manner supportive of the health education policy; and (b) have professional preparation in the subject areas. Teachers will receive current, factual information and teaching strategies on an annual basis.

4. Any supplemental materials (movies, videos, etc.) or presentations (guest speakers), used in health education courses shall be consistent with the health education policy. Professional community members may be invited to classes at any level to cover specific health topics, provided that professional community member has been approved by the Health Education Policy and Recommendation Committee. In such situations, the teacher responsible for the class must be present for the entire presentation and discussion time.

Human Growth Development and Human Sexuality Demonstration Opt-in Policy

The regular health education curriculum regarding birth control addresses risk reduction methods for pregnancy and sexually transmitted infection and disease. However, demonstrations of these methods require that parents/guardians be notified and give their consent through a signed permission form. Only those students who return a permission form signed by their parent/guardian opting to receive this type of education will be permitted to participate in these specific learning activities. For those students without parent/guardian authorization to participate, an alternate learning activity that supports the standard will be arranged.

Equal Educational Opportunities

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

The concept of equal educational opportunity shall guide the Board and staff in making decisions related to school district facilities, selection of educational materials, equipment, curriculum and regulations affecting students. The district shall make reasonable accommodations for students with identified physical and mental impairments that constitute disabilities consistent with the requirements of federal and state laws and regulations.

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


2. Training – provide training for students and staff to identify and alleviate problems of discrimination.

3. Student access – review programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulations.

4. District support – ensure that district resources are equitably distributed among school programs including but not limited to staff and compensation, facilities, equipment and related matters.

5. Student evaluation instruments – review of tests, procedures and guidance and counseling materials for stereotyping and discrimination.

Sexual Harassment

The Board recognizes that sexual harassment can interfere with a student’s academic performance and emotional and physical well-being and that preventing and remedying sexual harassment in schools is essential to ensure a nondiscriminatory, safe environment in which students can learn. In addition, sexual harassment is recognized as a form of sex discrimination and this is a violation of the laws that prohibit sex discrimination. All students, District staff and volunteers are expected to conduct themselves with respect for the dignity of others.

Therefore, sexual harassment of students by District staff, District volunteers, other students or members of the public shall be prohibited at school or school activities.
The District is committed to maintaining a learning environment that is free from sexual harassment. It shall be a violation of policy for any staff member to harass students or for students to harass other students through conduct or communications of a sexual nature or to retaliate against anyone that reports sexual harassment or participates in a harassment investigation.

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

Definitions
Sexual harassment includes but is not limited to any unwelcome or unwanted sexual advances, requests for sexual favors or other verbal, written or physical conduct of a sexual nature that is unwanted by or unwelcome to the student and/or has the purpose or effect of substantially interfering with a student’s educational environment even if the harasser and the student being harassed are the same sex and whether or not the student resists or submits to the harasser. Such conduct or communications are illegal and shall subject students, employees or volunteers to appropriate corrective action including discipline when:

1. Submission to sexually harassing conduct or communications either explicitly or implicitly is made a term or condition of a student’s receipt of educational benefits, aids, programs, services or participation in school activities.
2. Submission to or rejection of such conduct or communications by a student is used as the basis for academic decisions affecting the student.
3. Such conduct or communication is sufficiently severe, persistent or pervasive such that it limits the student’s ability to participate in or benefit from an educational program or activity or creates an intimidating, hostile or offensive educational environment. For a one-time incident to rise to the level of harassment, it must be severe.

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

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

Sexual harassment as defined above may include but are not limited to the following:

- Verbal harassment or abuse of a sexual nature
- Pressure for sexual activity
- Repeated remarks with sexual or demeaning implications to students
- Unwelcome touching of a sexual nature
- Suggestions or demands of sexual involvement that are accompanied by implicit or explicit threats concerning a student’s grades, graduation or other school-related matters
- Sexual name-calling, gestures, jokes or spreading of sexual rumors about students

Legitimate non-sexual touching or other non-sexual conduct is not sexual harassment.

Reporting, Investigations and Sanctions
Sexual harassment cannot be investigated or corrected by the District until the District is made aware of such harassment. The District encourages students to report all incidences of sexual harassment directly to the building principal, guidance counselor, teacher, or other District representative designated to receive such complaints and a grievance may be filed through the complaint process (Regulation AC-R). All reports and indications from students, District employees, and third parties shall be forwarded to the appropriate District representative.

If the alleged harasser is the person designated as the District representative, an alternate representative will be appointed by the Superintendent to investigate the matter.

Complaints or reports of sexual harassment shall be handled as confidentially as possible as long as doing so does not preclude the District from responding effectively to the harassment or preventing future harassment. However, in certain circumstances the District may be required by the Child Protection Act to report child sexual abuse to the county department of social services or other designated law enforcement agency.

Filing of a complaint or otherwise reporting sexual harassment shall not reflect upon the individual’s status or affect grades.
All reports or complaints of sexual harassment shall be investigated promptly by appropriate District representatives. In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred shall be investigated.

Any student found to have engaged in sexual harassment shall be subject to discipline, including, but not limited to, being placed under a remedial discipline plan, suspension, or expulsion, subject to applicable procedural requirements and in accordance with applicable law. Any employee found to have engaged in sexual harassment shall be subject to sanction, including, but not limited to, warning or reprimand, suspension, or termination, subject to applicable procedural requirements.

Notice and Training
A copy of this policy shall be posted in an appropriate location in each building and incorporated into all student handbooks.

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

Open Enrollment
File: JFBA Revised August 10, 2005

The Board recognizes that students may benefit from having a choice of schools to attend within the public school system that is not limited by school district boundaries or individual school attendance area boundaries. Therefore, students shall be allowed to attend any school or participate in any education program of their choice on a space available, first-come, first-served basis provided they meet the approved guidelines, are eligible for enrollment, and follow the approved process established by the Board of Education.

Nondiscrimination
The District shall not discriminate against any student making an open enrollment application and all decisions relative to the application shall be made solely on the merits of the application as pertaining to the process described herein.

Open Enrollment for District Residents
Students may apply for open enrollment in a school outside their attendance area and such applications may be approved if the application has been submitted in accordance with the regulations accompanying this policy.

Nonresident Enrollment
Enrollment of nonresident students may be approved if the application has been submitted in accordance with the regulations accompanying this policy.

Any nonresident student requesting admission to a particular school or program must submit their application, be approved and be in attendance prior to October 1 of the requested year of attendance. No new nonresident students will be approved for admission after October 1.

Special Education/Bilingual Programs
Requests from the parent/guardian of special education and bilingual education students for enrollment in another school or education program will be considered in accordance with this policy provided that the school requested offers appropriate programs and is structured or equipped with the necessary facilities to meet the special needs of the student. The District reserves the right to place students in a special education or bilingual program in a school outside their attendance area notwithstanding this policy.

Rescission of Open Enrollment Status
Approved open enrollments are considered approved for one school year only. However, if the status of the school facility remains open from one year to the next, those approved students shall be approved to continue into the next school year in their open enrolled school without reapplication. When a District school has been determined closed, the District reserves the right to rescind any or all open enrollment admissions at the end of each school year if overcrowding of facilities occurs in accordance with the regulations accompanying this policy.

Closed Schools
A school may be closed to open enrollment and nonresident admission on an annual basis due to lack of space if enrollment is at or exceeds 95% of its capacity or it is projected to reach 95% capacity within the following three years or if there is a lack of teaching staff within a particular program.

The Planning Office will identify schools that meet the closed school requirement as stated above. The Planning Director will recommend to the Superintendent that the school be closed to open enrollment and nonresident admissions. The Superintendent will report to the Board of Education normally by April 15 of each year those
schools that will be closed to open enrollment and nonresident admissions.

File:  JFBA-R Revised December 13, 2006

Open Enrollment

Definition of an Open Enrolled Student
An open “enrolled student” is one who is a resident or nonresident of the St. Vrain Valley School District desiring to attend a District school other than the school within his/her attendance area or school district of residence. Open enrollment is not intended for students placed in special District programs within District schools.

The District will consider requests from parents or guardians of students who do or do not reside within District boundaries but who wish to attend a particular school or education program within the District in accordance with the following regulations. However, out-of-district students will only be considered after all in-district requests have been granted.

When a school has been identified as “open”, students may apply for open enrollment in a school outside their attendance area or school district of residence, and such applications may be approved if the application has been submitted in accordance with these regulations.

When a school has been identified as “closed”, no new open enrollment applications will be approved except in accordance with the appeal process.

Application Process

Timeline:
1. Applications will be accepted at all schools beginning December 1.
2. Deadline for applications will be January 15.
3. The Planning Office will determine and notify schools of open or closed status by January 15.
4. Principals will notify the Planning Office regarding how many applications have been received and discuss space availability by January 22.
5. All applicants will be notified in writing, from the school for which they have applied, of their application status by February 7.
6. Applicants must go to the school for which they have been accepted by March 1 to confirm their acceptance.
7. Applications may continue to be received after the January 15 deadline (applicants will be placed on a waiting list), however, they may not be approved due to staffing being established using the combination of approved open enrollments and projections.
8. At the secondary level, schools remaining “open” during the school year will only be allowed to accept new students at a semester break for high schools, and at a quarter/semester break for middle schools (three days prior and three days after the official quarter break). In addition, students wishing to return to their home schools will do so at the designated grading periods. Changes in schools at the elementary level will be made through approval of the building principals involved. The goal, regarding this policy, is to reduce the number of school changes within an academic year.

Procedures
1. Application forms will be available in each school and at the Educational Service Center in the Planning Office.
2. The receiving principal and/or District staff are responsible for explaining the application process and regulations to interested parents/guardians.
3. Students/parents/guardians may apply for open enrollment in a school outside of their attendance area by submitting a completed application form to the school of choice.
4. Open enrollment applications may be approved if there is space and staff available in the requested school or program and if the application has been submitted in accordance with the policy and these regulations.
5. The receiving school principal will make the decision as to whether an application is approved based upon the criteria in this regulation, Board policy and state law.
6. The receiving school principal is responsible for notifying the parents/guardians of the approval or denial of an admission request.
7. The receiving school principal will notify the principal of the school in the student’s attendance area and the Planning Office of the disposition of the request.
8. After leaving the elementary or middle school level, a student must reapply for open enrollment at the next level. Approval/denial of that request will be made in accordance with this regulation.

In addition, for nonresident admission applications, the following also applies:
1. Nonresident students requesting admission to a school or program must submit their application, be approved and be in attendance prior to October 1 of the requested school year.
Grounds for Denial of Open Enrollment Application
Open enrollment applications may be denied by the receiving principal for any of the following reasons:
1. The school has been identified as a closed school due to lack of space or teaching staff within the school.
2. There is a lack of space or teaching staff within a particular program or grade level of the school requested.
3. The school requested does not offer appropriate programs or is not structured or equipped with the necessary facilities to meet special needs of the student or does not offer a particular program requested.
4. The student does not meet the established eligibility criteria for participation in a particular program including age requirements, course prerequisites or required levels of performance.
5. For nonresident applications, the student was not included in the most recent October student count.
6. The student is not eligible for enrollment in the District pursuant to Colorado Revised Statutes Section 22-33-106(3)(a), (b), (c), (e), or (f).

Cancellation of an Approved Open Enrollment
The principal may cancel an open enrolled student from his/her school if the student has been expelled or is in the process of being expelled for being habitually disruptive or for serious violations as defined by state law.

Open enrollments approved through the appeal process by the Planning Director, Assistant Superintendent of Learning Services, Superintendent or Board of Education may also be rescinded in the event that the student does not comply with predetermined conditions set for the original approval.

Reissuance of Open Enrollment Status
Approved open enrollment students are considered approved for one school year only. However, if the status of the school facility remains open from one year to the next, those approved students shall be allowed to continue into the next school year in their open enrolled school without reapplication.

When a District school has been determined closed for open enrollment due to overcrowding or elimination of a program, the District Planning Director shall determine the impact of currently approved open enrollments in the school in consultation with the principal. If it is determined by the Planning Director that open enrollment should be cancelled and those students could also be accommodated back in their home schools, students will be notified of the rescission of open enrollment by the principal no later than April 30th. Students shall have their open enrollment status cancelled in reverse order of acceptance. If it is determined that cancellation of open enrollment is only needed in specific grades or programs, then the cancellation shall be limited to that grade or program and cancellation shall be done in reverse order of acceptance. If the open enrollment status is not rescinded for students at closed schools, they shall be allowed to continue into the next school year in their open enrolled school without reapplication.

If necessary, the following order for rescission shall take place until the level of school enrollment determined adequate, is reached.
1. Nonresident students shall be the first to have their open enrollment status evaluated and cancelled.
2. Resident students shall be next to have their open enrollment status evaluated and cancelled.

Change in Residence
1. Elementary and secondary students whose place of residence changes during the school year may remain at the school they currently are attending until the end of the academic year.
2. Open enrollment forms must be completed for record-keeping purposes for students in this situation.
3. Students will be required to attend the school in their new attendance area the following year unless their application for continued open enrollment is approved.

Appeal Process
Principals of closed schools or grade levels will approve applications which meet the following criteria:
1. If a student completes two years at a particular secondary school and their circumstances change (e.g.: address; program involvement; etc.), the student shall be approved by the principal for open enrollment to complete his/her years at the same school.
2. If the parent/sguardians are building a home in another attendance area but the home will not be finished before school starts, or if they have a contract on a house that will not be closed on before school starts, the student shall be approved by the principal for open enrollment in the school in the new attendance area.
3. Siblings of students who have been granted open enrollment status shall be approved by the principal for open enrollment, as long as the sibling will have concurrent enrollment in at least the first year as the originally approved student.
4. Students living outside the attendance area of the school they are currently attending, but enrolled as a result of a District oversight or mistake, shall be approved by the principal for open enrollment. This does not apply to students who falsify the enrollment application to gain access into a closed school.
5. Children of District employees may attend the same school at which their parent(s) or legal guardians work.
6. Divorce situations where custody, as determined by the court, will establish residency.

When a parent/guardian of a student has applied for open enrollment at a school and that application has been denied by the principal, the parent/guardian will be advised by the principal that they may appeal to the Planning Office. Parents/guardians of students who wish to have their appeal considered must submit an appeal form to the Planning Office. The Planning Director will review the appeal based on the following criteria, except for #3

1. Special Education considerations, as determined by Special Education and High Intensity Language Training (HILT).
2. Documented medical, health and safety situations, conditions, and/or circumstances.
3. Unique circumstances or hardship as determined through appeal to the Assistant Superintendent of Learning Services.

**Procedures for #3**

When necessary and upon written request, the Assistant Superintendent of Learning Services will review the decision of the Planning Director where the Assistant Superintendent of Learning Services may use discretionary authority to review and approve applications due to unique circumstances/hardship.

When necessary and upon written request, an appeal can be made to the Superintendent who will review the decision of the Assistant Superintendent of Learning Services.

Upon written request to the Board of Education, a hearing will be granted as a final review.

**Exceptions for Attendance Area Boundary Changes**

The Board of Education has adopted exceptions to this regulation for students affected by attendance area boundary changes.

These exceptions supersede the other sections of this regulation:

1. Elementary Schools – Current 4th graders who would be moved into a new attendance area by a boundary change would be able to open enroll back to their current school for their final year whether the school was open or closed.
2. Middle Schools – Current 7th graders who would be moved into a new middle school attendance area by a boundary change would be able to open enroll back to their current school for their final year whether the school was open or closed.
3. High Schools – Current 10th and 11th graders who would be moved into a new attendance area by a boundary change would be able to open enroll back to their current school for their final one or two years whether the school was open or closed.
4. Middle/Seniors – Current 7th and 10th and 11th graders who would be moved into a new attendance area by a boundary change would be able to open enroll back to their current school for their final one or two years whether the school was open or closed.

In all four situations the sibling rule, as stated above, does not apply unless approved by the Assistant Superintendent of Learning Services through the appeal process. In cases where a school affected by boundary changes is designated as open, the applicable open enrollment procedures would be followed with the exception that students previously enrolled at the school would have priority over new students. After completion of the first year at new elementary and middle schools and the completion of the second year at new middle/senior and high schools, the new schools would revert to the standard open enrollment procedures.

**Athletics and Extracurricular Activities – Eligibility**

Eligibility for students granted permission to attend a school other than the school in their assigned attendance area shall be determined in accordance with the rules of the Colorado High School Activities Association.

**Transportation**

Transportation for students granted permission to enroll pursuant to this policy and regulation shall be the responsibility of the student/parent/guardian. If the District places a student in a special education or bilingual program in a school outside his/her attendance area, the District shall provide transportation, if necessary.

**File:** JGA Revised September 28, 2005 – Being revised 2014-2015

**Assignment of New Students to Classes and Grade Levels**

New students transferring into the St. Vrain Valley School District shall present records of attendance, grade placement and academic achievement.

New students entering from public schools and private schools accredited by the agencies below shall be placed in grades and classes on the basis of their grade placement/credits in the school from which they are transferring. The principal shall request a complete record from the student’s former school principal.
Students will be accepted from public schools and private schools whose accreditation is recognized by the Colorado Department of Education. Those agencies are:

- American Association of Christian Schools
- Jesuit Secondary Education Association
- North Central Association of College and Schools (NCA)
- National Association of Independent Schools (NAIS)
- National Lutheran School Accreditation
- Seventh-Day Adventist National Accreditation
- The National Academy of Early Childhood Programs

Schools wishing similar status may do so through an appeal process which will include review of their accreditation standards compared to those of approved agencies.

Assessment procedures and conditions may be required for appropriate grade placement and awarding of credit when a student enrolls from home instruction, instruction by a certificated teacher or from private schools not accredited by the Colorado Department of Education.


Assignment of New Students to Classes and Grade Levels *
(Students from Home Instruction or Nonaccredited Private School)

Grades K-8 enrollment and placement
Home instruction students or students from nonaccredited private schools enrolling in District schools (grades K-8) should apply at the school in their attendance area at least two weeks before the beginning of the first semester. This will allow time for testing if needed and appropriate placement of the student.

1. For purposes of placement only, students in grades K-8 enrolling in the District after a semester or more of home instruction or attendance at a nonaccredited school must comply with the following:
   a. Students in kindergarten and first grade may be accepted and placed as any other transfer students according to District practice.
   b. Parents of students in grades two through eight will submit results from District approved standardized tests administered within the current or previous school year. Based on test results and any other information provided by the parent, the principal will determine the appropriate grade placement. If test results are not submitted, the District achievement test will be given to the student.

2. Grades applied for home instruction transfer credits will be recorded as “S” (satisfactory) and “U” (unsatisfactory). The transcript will indicate that the work was completed in a home instruction program or at a nonaccredited private school.

3. Students who re-enroll in the District after nine weeks or less of home instruction will be placed in the grade level or in the courses in which they would have been enrolled had they continued uninterrupted in the District.

4. At the parent’s request, the principal will meet with the parent and student to notify and explain their decision regarding the student’s placement.

Grades 9-12 enrollment and placement
Home instruction students or students from nonaccredited private schools enrolling in District schools (grades 9-12) should apply at the school in their attendance area at least 30 days before the beginning of the first semester. This will allow time so that records and documentation submitted can be evaluated and credit be issued where warranted toward a District high school diploma.

1. For purposes of placement and credit toward graduation requirements, students in grades 9-12 enrolling in the District after a semester or more of home instruction or attendance at a nonaccredited private school must comply with the following:
   a. Meet with school or District officials to review procedures and secure necessary forms.
   b. Complete necessary forms and organize and submit documentation regarding the work which was completed and for which District credit is requested. Documents should include:
      • Courses and number of credits being requested
      • Information about the curriculum and instructional methods that were used. Courses should be grade appropriate, organized and sufficiently challenging.
      • Hours of instruction, which should be equivalent or greater than that which would have occurred in the District school.
      • Evidence that the student sufficiently mastered the curriculum, including such things as standardized test results, subject tests, papers and other examples of work.

School officials will review this information and determine the number of credits, if any, to be awarded
based on a comparison to District standards for the awarding of credit. A $50 fee will be charged for this assessment.

2. Credits will be accepted only for elective courses comparable to those offered in District schools.

3. Grades applied for home instruction transfer credits will be recorded as “S” (satisfactory) and “U” (unsatisfactory). The transcript will indicate that the work was completed in a home instruction program or at a nonaccredited private school.

4. Students transferring from home instruction or nonaccredited private schools must earn a minimum of 12 credits in one of our District high schools in their junior and senior years including four credits in core subject areas. Students transferring into the District in twelfth grade may have credits earned in this District certified to the school of prior attendance for graduation.

5. Students who re-enroll in the District after nine weeks or less of home instruction will be placed in the grade level or in the courses in which they would have been enrolled had they continued uninterrupted in the District.

6. High school students enrolling from home instruction will be subject to Colorado High School Activities Association (CHSAA) regulations to qualify for athletics and activities.

7. Credits previously earned in public and/or private school by home instruction students will be accepted based on transcripts presented to the District.

8. At the parent’s request, the principal will meet with the parent and student to notify and explain their decision regarding the student’s placement and/or graduation credits.

Home instruction students may apply for enrollment in classes offered by District schools while they are in home instruction. Approval will be on a space available basis as determined by the District. A student may be accepted as a transfer student on a District-wide basis. Parents should request information and follow time-lines for pre-registration at the selected school. To be eligible to participate, home instruction students must be enrolled and attending during the attendance entitlement counting period in courses sufficient to be counted as a part-time student, which is 90 hours of instruction for the 1st semester. (i.e. Formula is “minutes of instruction x number of days in 1st semester / 60 => 90 hours”).

Appeal procedure
If the parent/guardian of a home instruction student wants to appeal the credit and placement decision of the principal, these steps may be followed:

1. The parent/guardian should submit a written request to the Executive Director of Elementary/Secondary Schools, as appropriate, for a review of the student’s placement within one week after receiving the principal’s decision.

2. The Executive Director will convene an administrative review committee of three administrators at the appropriate level from other District schools. The committee will report its findings to the parent/guardian and the principal of the school no later than the 15th day after receiving the request.

3. If the parent/guardian is not satisfied with the decision, within one week the parent/guardian may request a hearing with the Executive Director of Elementary/Secondary Schools, as appropriate, whose decision will be binding.

File: JH Revised February 12, 2014

Philosophy
One criteria of a student's success in school is regular and punctual attendance. Frequent absences may lead to poor academic work, lack of social development and possible academic failure. Regular attendance is of utmost importance for school interest, social adjustment and scholastic achievement, particularly for closing the achievement gap. Continuity in the learning process and social adaptation is seriously disrupted by excessive absences. In most situations, the work missed cannot be made up adequately. Students who have good attendance generally achieve higher grades, enjoy school more and are more employable after leaving school. For at least these reasons, the Board believes that a student must satisfy two basic requirements in order to earn full class credit: (1) satisfy all academic requirements, and (2) exhibit good attendance habits as stated in this policy.

When developmentally appropriate, it is the responsibility of the student to attend school. Ultimately, however, the responsibility to ensure that the student has good attendance rests with the parent/guardian. According to state law, it is the obligation of every parent/guardian to ensure that every child under their care and supervision receives adequate education and training and, if of compulsory attendance age, attends school. Schools will inform the parents/guardians if a student's education is being jeopardized by poor attendance.
Each year the Board establishes the school attendance policy by adopting a school calendar. Students are required to have actual teacher-pupil instruction and contact time of 1,056 hours for secondary students and 968 hours for elementary students during each school year.

**Attendance**
Students are expected to enroll at the beginning of the school year, to attend regularly and to be prompt in arriving at school and at each class during the day.

**Excused Absences**
The building principal or his designee will grant excused absences with substantiated reason.
1. A student who is temporarily ill or injured or whose absence is approved by the administrator of the school of attendance on a prearranged basis. Prearranged absences shall be approved for appointments or circumstances of a serious nature only which cannot be taken care of outside of school hours.
2. A student who is absent for an prearranged extended period due to physical, mental or emotional disability.
3. A student who is pursuing a study program under the supervision of the school.
4. A student who is attending any school-sponsored activity or activities of an educational nature with advance approval by the administration.
5. A student who is suspended or expelled.
6. A student who is in the custody of a court or law enforcement authority.
7. A student whose absence is required by a legal body or social agency (court, juvenile authorities, public health department or police) including a student in out-of-home placement whose absences are due to court appearances and participation in court-ordered activities.

The following may be considered excused absences at the discretion of the principal or designee:
1. Serious illness or death in the family.
2. Family emergencies or hardship.
3. Family vacations. (While discouraged, such excuses should be prearranged with the school administration. If a student has poor attendance or poor academic performance, a principal may deny an excused absence for vacation purposes.)
4. Religious observances when requested by a parent or guardian
5. Military connected students whose parent or legal guardian has been called to duty, is on leave from, or immediately returned from deployment.

The District may require suitable proof regarding the above exceptions, including written statements from a health care provider.

**Unexcused Absences**
An unexcused absence is defined as an absence that is not covered by one of the foregoing exceptions. Each unexcused absence shall be entered on the student's record. The parents or guardians of the student receiving unexcused absences shall be notified orally or in writing by the District, District designee, or building staff.

Parents/guardians shall be required to provide an explanation for student absenteeism either in writing or orally. Absences not explained within two days after returning to school shall be recorded as unexcused absences unless unusual or extenuating circumstances exist as determined by the building administrator.

In accordance with law, the District may impose academic penalties which relate directly to classes missed while unexcused. Middle school students shall receive 50% credit for work completed due to an unexcused absence. Students and parents/guardians may appeal to the Assistant Superintendent or designee for exceptions to this policy or the accompanying regulations provided that no exception shall be sustained if the student fails to abide by all requirements imposed as conditions for granting any such exception.

The minimum number of unexcused absences a student may incur before judicial proceedings are initiated to enforce compulsory attendance is four (4) days in one month or ten (10) days during any school year.

**Tardiness**
Tardiness is defined as the appearance of a student without proper excuse after the scheduled time that a class begins. Because of the disruptive nature of tardiness and the detrimental effect upon the rights of the non-tardy student to uninterrupted learning, penalties shall be imposed for excessive tardiness. Students who accumulate 3 unexcused tardies shall be issued one-half day unexcused absence for the purpose of monitoring attendance patterns within individual buildings. Parents or guardians shall be notified of all penalties regarding tardiness.

Teachers shall be responsible for addressing tardiness as a classroom management issue. Excessive tardiness may be referred to the administration for consideration of additional interventions.

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

**Attendance Officer**
The Board shall appoint an Attendance Officer to assist school administrators in the enforcement of this policy and to assist in identifying the reasons for and causes of nonattendance and excessive absences.

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

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**Student Absences and Excuses**

This attendance policy is designed to provide guidance and procedure for managing and improving student attendance. In addition, it is recognized that other important factors which impact school attendance include the positive relationships that exist between teachers and their students, and the ongoing timely involvement of parents. It is the District’s intention to encourage all students to have good attendance and to participate in school; however, it may become necessary as a last resort to implement steps which may include taking legal action when a student’s level of absence becomes chronic.

**Elementary School Level**

Incentive programs shall recognize and reward those students with perfect attendance, exemplary attendance and improved attendance.

Steps for unexcused absences may include administrative conferences, detention, and make-up time, parental contacts, and involvement of District-level Prevention/Intervention efforts.

Make-up work for excused and unexcused absences, including suspensions, shall be provided for any class. Unless otherwise determined by the building administrator or unless the absence is due to the student’s expulsion from school.

In the case of both excused and unexcused absences, the principal or designee will make a reasonable number of attempts to contact parents/guardians in an effort to address a student’s attendance issues.

**Middle and High School Levels**

Incentive programs shall recognize and reward those students with perfect attendance, exemplary attendance and improved attendance.

Steps for unexcused absences may include administrative conferences, detention, suspension, make-up time, parental contacts, and involvement of District-level Prevention/Intervention efforts.

Make-up work for excused absences, including suspensions, shall be provided for any class unless otherwise determined by the building administrator or unless the absence is due to the student’s expulsion from school. Credit may be withheld for unexcused absences. Students who are unexcused may make up missed work for 50% credit.

In the case of both excused and unexcused absences, the principal or designee will make a reasonable number of attempts to contact parents/guardians in an effort to address a student’s attendance issues.

In addition:

1. At all high schools, 9 unexcused absences in a class within an 18-week period (semester) and/or 6 unexcused absences within a 9-week period (quarter) may result in a loss of credit (NC). Students over 17 may be removed from class if their cumulative average of class work results in a failing grade. Students with chronic absenteeism may be placed on a flexible schedule and referred to an alternative program. Where extenuating circumstances exist, the principal or designee may extend partial/full credit providing that specific conditions established by the school are met.

2. Because students under age 17 must fulfill the requirements of the compulsory attendance law, they will remain in the class regardless of the number of unexcused absences. The minimum number of unexcused absences a student may incur before judicial proceedings may be initiated to enforce compulsory attendance is four (4) days in a month or ten (10) days by statute during any school year.

3. In the case of both excused and unexcused absences, the principal or designee will make a reasonable number of attempts to contact parents/guardians in an effort to address a student’s attendance issues. As part of this communication, the principal or designee shall notify parents/guardians of any grade reduction and/or loss of credit.

4. All students are expected to make up school work because of absenteeism.
   a. Students with excused absences will be granted a reasonable amount of time to complete make-up work—
generally two days for each day absent.
b. Time allowed for make-up work may not extend beyond the end of the grading period except by special permission of the principal or designee.
c. Students with prearranged absences must make arrangements prior to the absence for completing make-up work.
d. Students with excused absences due to suspension will receive 50% credit at the middle and high school level for all class work missed because a suspension is subject to penalty. Students will be held responsible for knowledge of class work covered during their absence.
e. Parents/guardians may request a conference with the building administration to discuss a decision related to the attendance policy and these regulations. The conference must be requested within one week of notification.

Notification of parents/guardians regarding unexcused absences
The principal or designee will make reasonable efforts to work closely with parents/guardians to identify and resolve student attendance issues. Regardless of grade level, the following actions will be taken if a student’s unexcused absences reach the levels identified.

After 3 unexcused days – a general letter of concern will be sent to parents/guardians requesting a conference with school officials.

After 6 unexcused days – a second letter will be sent indicating that the student has violated Board policy regarding the number of unexcused absence days allowed before judicial proceeding may be initiated and requiring a meeting with the parent/guardian.

After 10 unexcused days – a letter including a reference to the state compulsory attendance law and notification that the student’s attendance will be monitored for the next 10 days at which time a decision may be made which may include legal action.

In all cases, letters sent to parents/guardians will be addressed to the current address on file with the District.

File: JHB Revised September 28, 2005

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

When a student is declared habitually truant, the principal shall require a meeting between the student’s parent/guardian and appropriate school personnel to review and evaluate the reasons for the student being habitually truant.

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

Note: The law requires the local board of education to designate an attendance officer for the district to enforce the provisions of the compulsory attendance law, counsel students and parents, investigate the causes of nonattendance and report his findings to the board.

File: JHD Revised September 28, 2005

Exclusions and Exemptions from School Attendance

Denial of admission
The Board of Education or the Superintendent may deny admission to the schools of the District for cause. The grounds for denial of admission shall be those established by law. (See Exhibit JHD-E.)

Students who were expelled from any school district during the preceding 12 months or whose behavior during the preceding 12 months in another school district was detrimental to the welfare or safety of other students or school personnel may be denied admission.

The Board shall provide due process of law to students and parents/guardians through written procedures consistent with law for denial of admission to a student.

The policy and procedures for denial of admission shall be the same as those for student suspension and expulsion inasmuch as the same section of the law governs these areas.
Exemptions from attendance
A child may be exempt from school attendance as allowed by the Colorado Compulsory Attendance law.

Exclusions and Exemptions from School Attendance
According to the Colorado Revised Statutes 22-33-106 (2), subject to the District's responsibilities under Article 20 of that title (Exceptional Children's Education Act), the following shall be grounds for expulsion from or denial of admission to a public school or diversion to an appropriate alternate program.
2. a. Physical or mental disability such that the child cannot reasonably benefit from the programs available.
   b. Physical or mental disability or disease causing the attendance of the child suffering therefrom to be inimical to the welfare of other students.
According to C.R.S. 22-33-106 (3)(a-f), the following shall constitute additional grounds for denial of admission to a public school:
3. a. Graduating from the 12th grade of any school or receipt of any document evidencing completion of the equivalent of a secondary education.
   b. Failure to meet age requirements.
   c. Having been expelled from any school district during the preceding 12 months.
   d. Not being a resident of the District unless otherwise entitled to attend under C.R.S. 22, Articles 23 or 32.
   e. Failure to comply with the provisions of Part 9, Article 4, Title 25, 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.
   f. Behavior in another school district during the preceding 12 months that is detrimental to the welfare or safety of other pupils or of school personnel.

Student Rights and Responsibilities
Students shall be given every opportunity to participate in the school and the community with rights and responsibilities analogous to those of adult citizens, e.g., freedom of expression, of assembly, of petition and of conscience and the rights of due process and equal treatment.

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

The Board, in accordance with state law, shall adopt a written student conduct and discipline code based upon the principle that every student is expected to follow accepted rules of conduct and to show respect for and to
obey persons in authority. The code also shall emphasize that certain behavior, especially behavior that disrupts the classroom, is unacceptable and may result in disciplinary action.

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

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

The rules shall not infringe upon constitutionally protected rights, shall be clearly and specifically described, shall be printed in a handbook or some other publication made available to students and parents/guardians, and shall have an effective date subsequent to the dissemination of the published handbook.

The superintendent shall arrange to have the conduct and discipline code distributed once to each student in elementary, middle, and high school and once to each new student in the District. Copies shall be posted in each school of the District. In addition, any significant change in the code shall be distributed to each student and posted in each school.

In all instances, students shall be expected to conduct themselves in keeping with their level of maturity, acting with due regard for the supervisory authority vested by the Board in all District employees, the educational purpose underlying all school activities, the widely shared use of school property, and the rights and welfare of other students. All employees of the District shall be expected to share the responsibility for supervising the behavior of students and for seeing that they abide by the established rules of conduct.

**Student Dress**

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

Any student deemed in violation of the dress code shall be required to comply with this policy and the school’s individual standards by changing into appropriate clothing (or making arrangements to have appropriate clothing brought to school immediately), to remove the paraphernalia, or modify the appearance of the hair. If the student takes such actions to be in compliance, there shall be no further penalty for that offense.

If the student cannot promptly obtain appropriate clothing, on the first offense, the student shall be given a written or verbal warning and an administrator shall notify the student’s parents/guardians. The student may be held out of class or classes at the discretion of the administrator. On the second offense, the student shall remain in the administrative areas of the school for the day to do schoolwork and a conference with parents/guardians should be held prior to the student’s return to class or classes to clarify the District and school’s expectations with respect to dress and appearance. Missed classes due to a second dress code offense will be considered similar to a suspension with regard to the student making up missed school work. On the third offense, the student may be subject to suspension or other disciplinary action outlined in the school discipline code.

**Violations of Student Dress Code**

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

1. Any clothing or accessory that presents a reasonable threat or hazard to the safety of others in a school environment, e.g. sharp jewelry, some chains, etc.
2. Sunglasses and/or hats worn over the eyes inside the building.
3. Clothing that bares or exposes traditionally private parts of the body including, but not limited to, the stomach, buttocks, back and breasts.
4. Students are required to wear appropriate footwear to ensure the safety and health of the student and others while on District property.
5. Any clothing, paraphernalia, grooming, jewelry, accessories, or body adornments that are or contain any advertisement, symbols, words, slogans, patches, or pictures that:
   - Refer to drugs, tobacco, alcohol, or weapons
   - Are of sexual nature
   - By virtue of color, arrangement, trademark, or other attribute denote affiliation with gangs or which advocate drug use, violence, illegal activity, or disruptive behavior which is detrimental to the safety and
welfare of other students
• Are obscene, profane, vulgar, lewd, or legally libelous
• Threaten the safety or welfare of any person
• Otherwise disrupt the teaching-learning process
• May be considered harassment or offensive to an individual in any manner.

Exceptions and Additions
Appropriate athletic clothing may be worn in physical education classes. Certain school uniforms, e.g., athletic uniforms, cheerleading uniforms, band uniforms, etc., approved by the principal may be exempted from the policy. Building principals may develop and adopt school-specific dress codes containing additional or specific criteria for student dress provided that such school standards are consistent with this policy. In addition, principals may identify certain events or occasions for which the dress code may be suspended or modified, e.g. pep assemblies, prom, spirit days, attendance at after school events, etc.  

File: JICC (Also EEAEC) Revised February 8, 2012

Student Conduct on School Buses
The privilege of riding a school bus is contingent upon a student’s good behavior and observance of the student code of conduct and established regulations for student conduct both at school vehicle stops and on-board school vehicles.

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

Parents/guardians are requested to explain the importance of proper behavior on the school vehicle. They also are expected to support disciplinary actions that are necessary to help their child change behavior.

The primary responsibility of the school vehicle operator is to transport students safely. While transporting students, the vehicle operator also has the responsibility of maintaining discipline on the bus. Therefore the driver shall follow approved procedures for dealing with inappropriate behavior by students riding the bus.

Inappropriate behavior has been divided into two categories:
1. Behavior which involves the safety and welfare of vehicle riders and/or others
2. Behavior which violates Board policy

Examples of inappropriate behavior together with consequences are listed in the accompanying regulations.

After due warning has been given to the student and to the student’s parents/guardians, the Director of Transportation or designee and/or principal may withhold from the student the privilege of riding in the school vehicle. Violation of District policies or regulations while in a school vehicle may also result in the student’s suspension or expulsion from school, in accordance with District policy.

File: JICC-R (Also EEAEC-R) Revised March 12, 2008

Student Conduct on Buses

Examples of inappropriate behavior
Inappropriate behavior which involves the safety and welfare of bus riders or others:
1. Failure to remain seated
2. Teasing/harassing others
3. Hitting, fighting or assault
4. Unnecessary loud noises
5. Refusal to obey driver/insubordination
6. Throwing objects on or outside of the bus
7. Improper bus loading or unloading
8. Unauthorized use of emergency door or emergency equipment
9. Other dangerous, disruptive or inappropriate behavior

Inappropriate behavior which violates Board policy or regulations:
1. Vandalism or destruction of property
2. Profanity/obscene gestures
3. Use of tobacco
4. Use of drugs or alcohol
5. Possession of a weapon

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6. Spitting
7. Other inappropriate or unacceptable behavior

Minimum consequences
All students are expected to exercise self control commensurate with their age and development. Generally, inappropriate behavior by secondary students grades 6-12 is more deliberate, dangerous and/or disruptive. Due to their maturity level, older students are expected to exercise greater self control.
Disciplinary measures for inappropriate behavior will accumulate. A warning might be given for one type of inappropriate behavior followed by a suspension for another type of inappropriate behavior.

Elementary
1st offense: Depending on the nature of the inappropriate behavior, a warning may or may not be given. A warning form usually will be written by the bus driver and sent home with the student. The warning form must be signed by the parent/guardian and the student, then returned to be kept on file in the transportation office.
It is primarily the bus driver’s responsibility to insure that the warning form has been signed and returned. If necessary, the driver may request the assistance of school administrators or the supervisor of transportation.
If the warning form is not signed and returned the following school day, the student will be called to the principal’s office and the parent/guardian will be contacted. The bus driver usually will be expected to be present for this contact. A copy of the warning form will be kept at the school, and a second copy will be kept in the transportation office.
2nd offense: Usually will result in a one- to two-day suspension of bus riding privileges. The parent/guardian must be notified prior to suspension. The bus driver primarily is responsible for notification of the parent/guardian but may request the assistance of school administrators or the supervisor of transportation.
A suspension form will be sent home with copies sent to the school and the transportation office. The bus driver will see that school and transportation office copies are delivered the next school day.
3rd offense: Usually will result in a three- to five-day suspension of bus riding privileges. School/District administrators together with the bus driver must contact the parent/guardian prior to suspension. A suspension form will be sent home with copies sent to the school and the transportation office.
4th offense: Usually will result in a suspension of bus riding privileges for six to ten days or longer if the inappropriate behavior warrants. The parent/guardian will be contacted prior to suspension by school administrators. A parent/guardian conference will be held before the student resumes riding the bus. This conferences usually will include the school/District administration, bus driver, parent/guardian and the student.

Suspension of bus riding privileges may include all bus routes and field or activity trips.
In cases of bus infractions involving drugs, assault, vandalism, possession of a weapon or other serious inappropriate behavior, it may be deemed appropriate to contact law enforcement officials for assistance. Suspension or expulsion from school also is likely.
In cases of suspension due to vandalism, appropriate arrangements for restitution must be made prior to reestablishment of riding privileges.

Secondary
1st offense: Depending on the nature of the inappropriate behavior, a warning may or may not be given. Serious inappropriate behavior or vandalism will result in immediate suspension. If a warning is to be used, a warning form usually will be written by the bus driver and sent home with the student. The warning form must be signed by the parent/guardian and the student, then returned to be kept on file in the transportation office.
It is primarily the bus driver’s responsibility to insure that the warning form has been signed and returned. If necessary, the driver may request the assistance of school administrators and/or the supervisor of transportation.
If the warning form is not signed and returned the following school day, the student will be called to the principal’s office and the parent/guardian will be contacted. The bus driver usually will be expected to be present for this contact. A copy of the warning form will be kept at the school, and a second copy will be kept in the transportation office.
2nd offense: Usually will result in a one- to two-day suspension of bus riding privileges. The parent/guardian
must be notified prior to suspension. The bus driver primarily is responsible for notification of the parent/guardian but may request the assistance of school administrators or the supervisor of transportation.

A suspension form will be sent home with copies sent to the school and the transportation office. The bus driver will see that school and transportation office copies are delivered the next school day.

3rd offense: Usually will result in a three to fifteen day suspension of bus riding privileges. The parent/guardian will be contacted prior to suspension by school administrators with the bus driver present. A suspension form will be sent home with copies sent to the school and the transportation office.

A parent/guardian conference will be held before the student resumes riding the bus. This conference usually will include the school/District administration, bus driver, parent/guardian and the student.

4th offense: Usually will result in a suspension of bus riding privileges for a minimum of one semester; if necessary, into the next school year. The parent/guardian will be contacted prior to suspension of bus riding privileges.

Suspension of bus riding privileges may include all bus routes, vocational training or activity trips.

In cases of bus infractions involving drugs, assault, vandalism, possession of a weapon or other serious inappropriate behavior, it may be deemed appropriate to contact law enforcement officials for assistance. Suspension or expulsion from school also is likely.

In cases of suspension due to vandalism, appropriate arrangements for restitution must be made prior to reestablishment of riding privileges.

File: JICDA Revised September 11 2013

Student Code of Conduct

The principal may suspend or recommend expulsion of a student who engages in one or more of the following specific activities while in school buildings, on District property, in school or District vehicles or during a school-sponsored or District-sponsored activity or event, and off of school property when the conduct has a nexus to school or any District curricular or non-curricular event:

1. Causing or attempting to cause damage to school property or stealing or attempting to steal school property of value.
2. Causing or attempting to cause damage to private property or stealing or attempting to steal private property.
3. Committing any act which if committed by an adult would be robbery or assault as defined by state law.
4. Violating a criminal law which has an immediate effect on the school or on the general safety or welfare of students or staff.
5. Violating District policy or building regulations.
6. Behaving in a manner, i.e., stalking, on or off school property, which is detrimental to the welfare or safety of the student, other students or school personnel.
7. Engaging in “hazing” or initiation activities, i.e., forcing prolonged physical activity, forcing excessive consumption of any substance, forcing prolonged deprivation of sleep, food, or drink, or any other behavior which recklessly endangers the health or safety of an individual(s).
8. Throwing objects (unless part of a supervised school activity) that can cause bodily injury or damage property.
9. Violating the District's policy on dangerous weapons in the schools. Expulsion shall be mandatory for using or possessing a firearm, in accordance with federal law.
10. Violating the District's alcohol use/drug abuse policy.
11. Violating the District's tobacco-free schools policy.
12. Violating the District's policies on nondiscrimination and sexual harassment.
13. Violating the District's policy on gang activities.
14. Violating the District's policy on bullying prevention and education.
15. Violating the District’s dress code policy.
16. Violating the District’s policy on student expression.
17. Directing profanity, vulgar language or obscene gestures toward other students, school personnel or visitors to the school or others.
18. Engaging in verbal abuse, e.g. name calling, ethnic or racial slurs, threatening to do bodily harm, or derogatory statements addressed publicly to others that precipitate disruption of the school program or incite violence.
19. Lying or giving false information, either verbally or in writing, to a school employee.

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20. Making a false accusation of criminal activity against a District employee to law enforcement or to the District.
21. Committing extortion, coercion or blackmail, i.e., obtaining money or other objects of value from an unwilling person or forcing an individual to act through the use of force or threat of force.
22. Being scholastically dishonest including but not limited to cheating on a test, plagiarism or unauthorized collaboration with another person in preparing written work.
23. Continually demonstrating willful disobedience or open and persistent defiance of proper authority, including deliberate refusal to obey a member of the school’s staff.
24. Threatening to commit violence with the intent to terrorize or with reckless disregard for the risk creating such terror or to cause serious public inconvenience, such as the evacuation of a building.
25. Repeatedly interfering with the school’s ability to provide educational opportunities to other students.

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

Note: All Board policies with codes containing the letter “JIC” are considered part of the legally-mandated code of conduct and discipline.

**File: JICDE Revised January 9, 2013**

**Bullying Prevention and Education**

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

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

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

A student who engages in any act of bullying and/or a student who takes any retaliatory action against a student, who reports in good faith an incident of bullying, is subject to appropriate disciplinary action including but not limited to suspension, expulsion and/or referral to law enforcement authorities. The severity and pattern, if any, of the bullying behavior shall be taken into consideration when disciplinary decisions are made. Bullying behavior that constitutes unlawful discrimination or harassment shall be subject to investigation and discipline under related Board policies and procedures. Students targeted by bullying when such bullying behavior may constitute unlawful discrimination or harassment also have additional rights and protections under Board policies and procedures regarding unlawful discrimination and harassment.

The principal of each District school shall develop a program to address bullying appropriate for the age level served by that school. The program shall be aimed toward accomplishing the following goals:

1. To send a clear message to students, staff, parents and community members that bullying and retaliation against a student who reports bullying will not be tolerated;
2. To train staff and students in taking proactive steps to prevent bullying from occurring;
3. To implement procedures for immediate intervention, investigation, and confrontation of students engaged in bullying behavior;
4. To initiate efforts to change the behavior of students engaged in bullying behaviors through re-education on acceptable behavior, discussions, counseling, and appropriate negative consequences;
5. To foster a productive partnership with parents/guardians and community members in order to help maintain a bully-free environment;
6. To support victims of bullying by means of individual and peer counseling;
7. To help develop peer support networks, social skills and confidence for all students;
8. To recognize and praise positive, supportive behaviors of students toward one another on a regular basis.

**File: JICEA Revised October 12, 2005**

**School-Related Student Publications**

The right of the student to individual freedom of expression shall not be restricted unless its exercise interferes
with the orderly conduct of classes and the overall school program. Within that limitation, students may freely express their points of view provided they do not attempt to coerce others to join their mode of expression and provided also that they do not otherwise intrude upon the rights of others.

On the other hand, school officials have the duty to provide for an ordered educational program free from turmoil and distraction. Opportunity for individuals to express their views shall be provided through official student publications.

All publications shall reflect and be guided by accepted journalistic standards. Responsibility for the content of a publication shall rest with the individuals responsible for the publication. No school-related publication shall be published or distributed which would endanger the health or safety of the students, imminently threaten to disrupt the educational process or contain slanderous or libelous statements.

A publication shall be considered unacceptable when it contains:
1. Attacks on ethnic, religious or racial groups;
2. Statements which tend to create hostility or are conducive to violence;
3. Profane, obscene, libelous or slanderous material as interpreted in relation to the school setting rather than as may be circulated to the public at large;
4. Commercial advertisements of solicitations for funds except when such material receives prior approval from the principal and is related to school activities.

Copies of this policy shall be distributed to all high school students and made available to other students and parents/guardians upon request.

File: JICEC Revised October 12, 2005

Student Petitions and Distribution of Non-Curricular Materials

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

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

Students shall be allowed to circulate petitions and distribute non-curricular materials on school property subject to restrictions on time, place and manner of distribution set out below and in the accompanying regulations and in state law.

Students shall not circulate petitions or distribute non-curricular material which is obscene; which is libelous, slanderous or defamatory under state law; which is false as to any person who is not a public figure or involved in a matter of public concern; which creates a clear and present danger of the commission of unlawful acts, the violation of lawful Board or school policies or regulations, or the material and substantial disruption of the orderly operation of the school; or which violates the rights of others.

Students who circulate petitions or distribute non-curricular materials which, in the judgment of school officials, are in violation of this policy will be required to discontinue such activity and shall be subject to appropriate disciplinary action.

School equipment and supplies shall not be used for publication of such petitions or written materials unless authorized as a school-sponsored activity.

The principal shall present to any student or students wishing to circulate petitions or distribute non-curricular materials a copy of this policy and the accompanying regulations.

Students who wish to appeal the decision of school officials may do so to the Superintendent/designee (see Policy JII). The appeal must be in writing and received within five working days after the school official's decision. The Superintendent/designee will consider the appeal and respond back to the student(s) within ten working days.

If the student(s) wish to further appeal, they may do so by filing their request in writing to the Board of Education within five working days of the Superintendent/designee's decision. The Board of Education will consider this appeal at its next regularly scheduled meeting.

File: JICEC-R Reviewed October 12, 2005

Student Petitions and Distribution of Non-Curricular Materials

Students who wish to circulate petitions or distribute non-curricular materials on school property or in conjunction with a school activity must notify the principal a minimum of three school days in advance so that details may be
worked out regarding the time, place and manner of distribution. The principal is authorized to shorten this time period for good cause shown.

High school students are not required to produce an advance copy for the principal's review of petitions or non-curricular materials that will be circulated or distributed. However, petitions which are circulated or non-curricular materials which are distributed on school grounds and which, in the judgment of school officials contain information prohibited by Board policy, will be collected by school officials and may subject the responsible students to disciplinary action following circulation or distribution.

Middle school and elementary school students are required to produce an advance copy of the petitions or non-curricular materials that will be distributed for the principal's review solely for the purposes of determining whether the student has exercised proper judgment with respect to the content of such petition or materials and to determine whether they contain information which, in the principal's judgment, is prohibited by Board policy.

The following restrictions will apply to all requests to circulate petitions or distribute non-curricular materials by students:

1. **Place**
   Circulation of petitions or distribution of non-curricular materials must be made at places within the school or on school grounds as designated by the principal except that in no event may such petitions or materials be circulated or distributed in any classroom of any building then being occupied by a regularly-scheduled class.

2. **Time**
   Circulation or distribution may be made up to one-half hour before school and/or during regularly scheduled lunch periods and/or up to 15 minutes after the close of school. Any other times during the school day are considered to be disruptive of normal school activities.

3. **Littering**
   All distributed petitions or non-curricular materials discarded in school or on school grounds must be removed by the persons distributing such petitions or materials.

4. **Manner**
   No student may in any way be compelled or coerced to sign any petitions or accept any non-curricular materials being circulated or distributed by any person. In the alternative, no school official or student may interfere with the circulation or distribution of such petitions or materials.

Violation of any of these regulations will be sufficient cause for denial of the privilege to circulate petitions or distribute non-curricular materials at future dates and/or for disciplinary action.

**Secret Societies/Gang Activity**

The Board of Education desires to keep District schools and students free from the threats or harmful influence of any groups or gangs which advocate drug use, violence or disruptive behavior. The principal or his designee shall maintain continual, visible supervision of school premises, school vehicles and school-related activities to deter gang intimidation of students and confrontations between members of different gangs.

The principal or designee shall establish open lines of communication with local law enforcement authorities so as to share information and provide mutual support in this effort.

If a principal or designee suspects that a student may be involved in a gang or gang-related activities, they shall communicate this suspicion to the student's parent/guardian.

Any student whose activities violate the student code of conduct and discipline, whether or not the student is affiliated with a gang, shall be treated in accordance with Board policies and regulations.

**Use of Tobacco by Students** *(See also ADC Tobacco Free Schools)*

The St. Vrain Valley School District is committed to high standards of health and safety. This policy is the result of documented dangers of tobacco products combined with the District’s educational role in the community.

In compliance with federal and state laws, the use or the conspicuous possession or display of tobacco products by students while in or on school properties, or under the school’s jurisdiction, or while participating in a school-sponsored event is prohibited.

The District shall carry on programs of education designed to fully inform students about the hazards of smoking and all other tobacco products.

For purposes of this policy, the following definitions shall apply:
1. "School property" shall mean all property owned, leased, rented or otherwise used by a school including but not limited to the following:
   a. All interior portions of any building or other structure used for instruction, administration, support services, maintenance or storage.
   b. All school grounds over which the school exercises control including areas surrounding any building, playgrounds, athletic fields, recreation areas and parking areas.
   c. All vehicles used by the District for transporting students, staff, visitors or other persons.

2. "Tobacco" shall include cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, and all other kinds and forms of tobacco prepared in such manner as to be suitable for chewing, smoking or both. "Tobacco" shall include cloves or any other product utilized for smoking.

3. "Use" shall mean lighting, chewing, inhaling, smoking, or displaying any tobacco product.

Use of Tobacco by Students (See also ADC Tobacco Free Schools)

In support of the district’s no smoking policy, the District will:

- Promote smoking cessation campaigns and classes;
- Encourage and offer individual support for students in their efforts to quit smoking and eliminate use of all tobacco products.

Students who violate the accompanying policy will be referred to the school administrator or designee and will be subject to the following disciplinary procedures:

<table>
<thead>
<tr>
<th>First offense</th>
<th>Minimum -</th>
<th>Administrative conference</th>
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<tbody>
<tr>
<td></td>
<td>Maximum -</td>
<td>Short suspension</td>
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<tr>
<td>Repeated offense</td>
<td>Minimum -</td>
<td>Short suspension or participation in smoking cessation classes</td>
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<td></td>
<td>Maximum -</td>
<td>Expulsion</td>
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Substance Abuse by Students

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

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

For purposes of this policy, a controlled substance includes but is not limited to alcohol, marijuana, narcotic drugs, hallucinogenic or mind-altering/mood altering drugs or substances, amphetamines, barbiturates, stimulants, depressants, anabolic steroids, any other substances defined as "controlled substances" by state and federal law, or any prescription or nonprescription drug, medicine, vitamin, homeopathic substance, or other chemical substances not taken in accordance with the Board policy and regulations on administering medicines to students. This policy also includes substances that are represented by or to a student to be any such substance as defined in the preceding paragraph or what the student believes to be any such substance. All paraphernalia that is associated with the use or distribution of a controlled substance is also prohibited and falls within the scope of this policy and regulation.

This policy shall apply to any student who is on school property, in attendance at school, in a school vehicle or taking part in any school-sponsored or sanctioned activity or whose conduct at any time or place interferes with the operations of the District and/or the safety and welfare of students or employees.

Students violating this policy shall be subject to disciplinary sanctions that may include suspension, expulsion, diversion activities and/or referral to appropriate law enforcement agencies as outlined in the regulation for this policy and as provided in the student code of conduct and discipline handbooks for each school. Through the publication and distribution of the discipline handbooks, the Board shall have served notice to all students and their parent(s)/guardian(s) of their rights and responsibilities under this policy.

Situations in which a student seeks counseling or information from a professional staff member for the purpose of overcoming substance abuse or dependency shall be handled on an individual basis and shall not be considered in violation of this policy.
The Board, in recognition that substance abuse is a community problem, will seek to actively cooperate with any other public organization or agency that shows promise in bringing drug education and intervention to the awareness of students, parents and the community.

Whenever possible, school personnel shall provide parents/guardians and students dealing with substance abuse issues with information about programs and/or intervention processes available in the community. Information provided to students and/or parents/guardians about community substance abuse treatment programs or other resources shall be accompanied by a disclaimer to clarify that the school district assumes no financial responsibility for the expense of drug or alcohol assessment or treatment provided by other agencies or groups unless otherwise required by law.

File: JICH-R Revised: January 9, 2008

Substance Abuse by Students

Students shall not use, possess, bring, sell, distribute, supply, transfer, or be under the influence of a controlled substance as defined in Board Policy JICH while inside a school building or facility, on or near school grounds during the school day, in school vehicles, in attendance at any school activities whether on or off school grounds or when off school grounds where such behavior is determined to be detrimental to the welfare and/or safety of other students or school personnel.

Type A Violation

Using, possessing, being under the influence of a controlled substance, sharing or distributing of a controlled substance while on school grounds, being in possession of paraphernalia that is associated with the use or distribution of a controlled substance, in school vehicles or at any school activity whether on or off school grounds, or when off school grounds where it is found to be detrimental to the safety and/or welfare of students or school personnel:

Consequences for First Violation:
- The student shall be suspended for a period of time from two to five days.
- Parent(s)/guardian(s) of the student shall meet with the school principal or designee to clearly present the situation and consequences for a subsequent violation.
- The situation shall be reported to the local law enforcement agency of the jurisdiction where the incident occurred.

The principal may agree to defer or reduce the suspension of the student only if the student and parent(s)/guardian(s) agree to attend an approved drug education diversion activity. Such agreement shall be placed in writing during the meeting with the principal or designee within the initial suspension period with a “time certain” established for this activity to be completed. This diversion activity must be attended by the parent(s)/guardian(s) and student at the next regularly scheduled program date and time or as soon thereafter as possible and agreed upon. Failure to agree or failure to attend the diversion activity, if initially agreed upon, shall cause the student to be suspended from school.

Consequences for Second Violation:
- The student shall be suspended for no less than ten days and expulsion proceedings will be initiated in accordance with Policy JKD/JKE-R.
- The parent(s)/guardian(s) of the student will be informed of the situation by an initial telephone call by the principal or designee followed by a personal conference where the details of the expulsion proceedings shall be told to the student and parent(s)/guardian(s) and the possibility of a deferral of expulsion option as provided in this regulation.
- The situation shall be reported to the local law enforcement agency of the jurisdiction where the incident occurred.

Type B Violation

A Type B violation shall be determined in cases where the selling of a substance, as defined in this policy, shall be verified.

Selling is defined as providing and/or distributing a controlled substance personally or through a secondary party for remuneration of money or other tangible goods or services of material value.

Selling of controlled substances shall be deemed detrimental to the welfare and/or safety of other students and school personnel under any of the following circumstances: while inside a school building or facility, on or near school grounds during the school day, in school vehicles, in attendance at any school activities whether on or off school grounds; and selling of a controlled substance off school grounds which is verified by a preponderance of evidence that such sale did occur.
Consequence for First and Any Subsequent Violation:

• The student shall be suspended for no less than ten days, with an extension requested, if necessary, and expulsion proceedings will be initiated in accordance with JKD/JKE-R.

• The parents(s)/guardian(s) of the student will be informed of the situation by an initial telephone call followed by a personal conference where the details of the expulsion proceedings shall be told to the student and parent(s)/guardian(s). The parent(s)/guardian(s) will also be provided with written details regarding the incident and the process.

• If it is found that expulsion is warranted, the expulsion shall be for no less than two full school semesters (three trimesters) with no readmission available.

• The situation shall be reported to the local law enforcement agency of the jurisdiction where the incident occurred.

• The Expulsion Hearing Officer shall have the option to recommend to the Superintendent an alternate plan or duration of expulsion under unusual or extraordinary circumstances.

Definitions
Possessing
For the purposes of this regulation, the term "possessing" shall mean physical possession or control (e.g., on the student, or in the student's locker, backpack, purse, vehicle, etc.) of a controlled substance.

Conduct Which is Detrimental to Others:
For the purposes of determining whether conduct off of school grounds constitutes behavior that is detrimental to the welfare and safety of other students or school personnel, the administration should consider the totality of the circumstances in each situation, including, but not limited to, the following factors:

• degree of the negative impact on other students and/or school personnel

• other number of students affected

• location where such conduct occurred and its proximity to school grounds

• whether such conduct occurred during the school day

• whether the student left school premises to engage in such conduct

• whether the student induced others to leave school premises to engage in such conduct

• whether the student returned to school after engaging in the prohibited conduct

• degree of the resulting negative impact of such conduct on school activities, school personnel, or the educational process, including disruption and interference of the educational process

• other factors which the administration deems relevant and which are related to the welfare and safety of students, school personnel, or the operation of school, school activities, or the educational process.

Drug Paraphernalia
For purposes of this policy, drug paraphernalia includes equipment, products, and materials of any kind which are used, or intended to be used, by the student for the manufacturing, compounding, processing, distributing, packaging, inhaling, or ingesting of a controlled substance, such as scales/balances (used or intended for use in weighing or measuring controlled substances), capsules or envelopes for use in the packaging or distribution of controlled substances, bongs, pipes, and other similar items.

This regulation supplements authority conferred elsewhere by either Board policy or state statute and shall not be deemed to limit or suspend such other authority.

File: JICI Revised October 10, 2012

Weapons in School
The Board of Education determines that possession and/or use of a weapon by students is detrimental to the welfare and safety of the students and school personnel within the District.

1. Dangerous Weapons
Carrying, bringing, using or possessing any dangerous weapon on District property, when being transported in vehicles dispatched by the District or one of its schools, during a school-sponsored or District-sponsored activity or event, and off school property when the conduct has a reasonable connection to school or any District curricular or non-curricular event without the authorization of the school or the District is prohibited. An exception to this policy may be made for students participating in an authorized extracurricular activity or team involving the use of firearms. 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 District, and as soon as possible delivers the dangerous weapon to that person, expulsion shall not be mandatory and such action shall be considered when determining appropriate disciplinary action, if any.

As used in this policy, “dangerous weapon” means:
a. A firearm, whether loaded or unloaded.
b. Any pellet, BB gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air.
c. A fixed blade knife with a blade that 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.
d. Any object, device, instrument, material, or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury including, but not limited to slingshot, bludgeon, brass knuckles or artificial knuckles of any kind.

The principal may initiate expulsion proceedings for students who carry, bring, use or possess a dangerous weapon in violation of this policy.

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

2. Local restrictions

The Board of Education determines that extra precautions are important and necessary to provide for student safety. Therefore, the carrying, bringing, using or possessing of any weapon, in any school building, on school grounds, in any school vehicle or at any school-sponsored activity without express authorization is prohibited.

3. Firearm Facsimile

Carrying, using, actively displaying, or threatening with the use of a firearm facsimile that could reasonably be mistaken for an actual firearm in a school building or on school property may result in expulsion; however, each situation will be handled on a case-by-case basis. Students who violate this policy shall be referred for appropriate disciplinary proceedings.

4. Record Keeping

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

5. Law enforcement involvement

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

File: JIH Revised June 8, 2011

Student Interrogations, Searches and Arrests

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

Searches Conducted by School Personnel

Searches may be conducted by a principal or designee who have reasonable grounds for suspecting that a search will turn up evidence that the student has violated or is violating laws or school rules or Board policy. When reasonable grounds for a search exist, a principal or designee may search a student and/or their personal property while on school premises or during a school activity under the circumstances outlined in this policy and may seize any illegal, unauthorized or contraband materials.

Any search conducted by a principal or designee shall respect the privacy of the student and shall not be any more intrusive than necessary, considering the age and sex of the student and nature of the suspected infraction. Whenever possible, the student shall be informed of the reason(s) for conducting the search and the student’s permission to perform the search shall be requested. However, a student’s refusal to grant such permission shall not prevent the search from taking place. A student’s failure to cooperate with a principal or designee conducting a search shall be considered grounds for disciplinary action.

A report shall be prepared by the school staff member who has conducted a search explaining the reasons for the search, the results and the names of any witnesses to the search. If the search produces evidence to be used as the basis for disciplinary action, the report shall be filed in the student’s cumulative folder.

Definitions

1. “Reasonable grounds” is the standard for a search on school property or at school activities carried out by the principal or designee. Reasonable grounds shall be based on facts provided by a reliable informant or personal observation which cause the principal or designee to believe, based on their own experience, that
searching a particular student, place or thing would lead to the discovery of evidence of a violation of state or federal laws or school rules or Board policy. Reasonable grounds requires more than a mere hunch.

2. “Contraband” consists of all substances or materials prohibited by laws or school rules or Board policy including but not limited to drugs, alcoholic beverages, guns, knives, other weapons and incendiary devices or any other personal property which the principal or designee deems potentially injurious or detrimental to the safety or welfare of students or staff.

Inspections of School Property; Canine Inspections
School lockers, desks and other storage areas are school property and remain at all times under the control of the school. School property provided for the use of students is subject to inspection at any time, to cleanouts, to access for maintenance and to inspection or search pursuant to this policy.

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

The principal or designee may search a particular desk, locker or any other storage area and its contents at any time. Whenever possible, another person shall be available to witness the search.

In order to ensure schools and school property are reasonably safe and drug-free, it is appropriate to implement a policy for the use of specially-trained dogs to assist in detecting the presence of contraband drugs, alcohol, and explosive materials on school premises. The following shall apply when conducting sweeps using specially-trained dogs:
1. Every canine inspection shall only be authorized by the building principal or his/her designee, and shall utilize District approved and specially trained dogs.
2. Canine inspections of District facilities and property are not considered “searches” and may be conducted on District property at any time with or without reasonable suspicion.
3. District authorized and specially-trained dogs may be used to search the air around lockers, desks, vehicles on District property, or on District buses. At no time shall the specially-trained dog have direct contact with any student or a student’s personal possessions. Therefore, such searches are best conducted before and after school hours when students are not present.
4. Canine inspections shall be conducted in the presence of a local law enforcement officer and a member of the administrative team.
5. A canine alert to the possible presence of contraband shall constitute reasonable suspicion for school staff to initiate search procedures of personal property as described in this policy.

Searches of Student’s Person
The principal or designee may search the person of a student if the principal or designee has reasonable grounds to believe that the student is in possession of contraband.

Search of the person shall be limited to the student’s pockets and/or socks and shoes, any object in the student’s possession such as a purse, backpack or briefcase, and/or a “pat down” of the exterior of the student’s clothing.

Searches of the person shall be conducted out of the presence of other students and as privately as possible. At least one but not more than three additional District employees of the same sex as the student being searched shall witness but not participate in the search.

The parent or guardian of any student searched shall be notified of the search as soon as reasonably possible.

No strip search of a student shall be carried out by any employee of the District. Searches of the person which require removal of clothing other than outer clothing such as a coat or jacket or shoes or socks shall be referred to a law enforcement officer.

Seizure of Items
Any personal property found in the course of a search conducted by school officials which is evidence of a violation of laws, school rules or Board policy or which by its presence presents an immediate danger of physical harm may be:
1. Seized and offered as evidence in any suspension or expulsion proceeding if it is tagged for identification at the time it is seized and kept in a secure place by the principal until it is presented at the hearing;
2. Returned to the parent or guardian of the student from whom it was seized.
3. Turned over to any law enforcement officer in accordance with this policy.

Law Enforcement Officers’ Involvement
The principal or designee may request a search on school premises be conducted by a law enforcement officer.
When law enforcement authorities are involved in the search, the search will be conducted under criminal law standards rather than under the provisions of this policy.

When law enforcement officers respond to such a request, no District employee shall assist or otherwise participate in any search unless under the direct order of the law enforcement officer.

If law enforcement personnel seek permission from the principal or designee to search a student, the student’s personal property or school property, to obtain evidence related to criminal activities, the principal or designee shall require the police to produce a valid search warrant before the search is conducted unless:

1. There is uncoerced consent by the student;
2. There is probable cause and circumstances such that taking the time to obtain a search warrant would frustrate the purpose of the search or create the potential for injury to the student or others;
3. The search is incident to an arrest and is limited to the person and immediate surroundings.

**Interrogation**

When law enforcement officials request permission to question students when students are in school or participating in school activities, the principal or designee shall be present. If the student is under 18, the student’s parent/guardian also shall be present unless the juvenile is emancipated as that term is defined in state law.

Every effort shall be made not to draw attention to the student being questioned by conducting the interrogation in private and with as little disruption to the schedule as possible.

**Custody and/or arrest**

When custody and/or arrest by law enforcement is involved, the principal or designee shall request that all procedural safeguards as prescribed by law be observed by the law enforcement.

**Appeals**

Within five school days after a search, the student may appeal the search decision to the Area Assistant Superintendent who shall investigate in a timely manner the reasons for, and circumstances of, the search. These findings shall constitute the basis for the decision on the student’s appeal.

The Area Assistant Superintendent shall forward a written copy of the findings and appeal decision to the student and the Superintendent. Within five school days after receipt of this written report, the student may appeal the decision to the Superintendent.

The Superintendent or designee shall review the case and issue a decision in writing to the student. The decision of the Superintendent or designee shall constitute the final District determination.

**Notice to students**

In order to insure that students have notice of this policy, this policy or a summary of this policy shall be published annually in the student handbook of every school in the District.

*File: JIH-R Revised October 12, 2005*

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**Policies and Procedures for Conducting Student Interrogations, Searches and Arrests**

**Investigations Conducted in the Educational Environment**

A. Initiated by school administrators

1. Conducted by administrators

Principals or their designees will have the authority and duty to conduct investigations and to question students pertaining to infractions of school rules or Board policy whether or not the alleged conduct is a violation of criminal law. Such investigations will be conducted in a way which does not unduly interfere with school activities. Due process which requires that a student be allowed to present their version of the facts will be followed at all times.

2. Conducted by police authorities

a. The principal or designee will determine when the necessity exists for police authorities to be contacted to quell a disturbance or to conduct an investigation of alleged criminal behavior which jeopardizes the safety of school property or interferes with the operation of the school or education of other students. To be in compliance with law, it will be the responsibility of the principal or designee to notify police authorities of any criminal investigation.

b. Should alleged criminal behavior occur during school hours, the principal or designee will request that police authorities conduct an investigation and question students who are potential witnesses of such behavior.

Reasonable attempts will be made to contact the student’s parent/guardian prior to questioning by police authorities. Such contacts or attempted contacts with parent/guardian must be documented by the
administrator involved. In the absence of the student’s parent/guardian during any questioning of the student, the principal or designee must be present and must document what generally occurred during the interview.

c. If child abuse allegedly involving the parent/guardian is suspected, the parent/guardian should not be contacted prior to questioning of the student by police authorities.

d. If the investigation has centered on any particular student suspected of alleged criminal activity, the procedures for taking students into temporary custody by the police as set forth below will be followed to the extent that they do not interfere with reasonable law enforcement procedures.

B. Initiated by police authorities

Although cooperation with police authorities will be maintained, normally it should not be necessary for police authorities to initiate and conduct any investigation and questioning on school premises during school hours pertaining to criminal activities unrelated to the operation of the school.

Only when police authorities can show compelling circumstances to do so will they be permitted to conduct such an investigation during school hours. The circumstances ordinarily should be limited to those in which delay might result in danger to any person, flight from the jurisdiction by a person reasonably suspected of a crime, or destruction of evidence.

In such cases, the officers will be requested to obtain prior approval of the principal or designee before beginning such an investigation on school premises. The administrator will document the circumstances of such investigations as soon as possible.

Alleged criminal behavior related to the school environment brought to the principal's or other designee's attention by police authorities will be dealt with under the provisions of #2 above.

C. Questioning of students during investigation for violations of criminal law.

1. During an investigation of a violation of school rules or Board policy, it may come to the attention of the administrator that the investigated activity also may be a violation of criminal law. In proceeding with the investigation, the principal or designee will attempt to ascertain whether a criminal offense was committed.

2. Where a suspected violation of criminal law has occurred on school grounds involving the operation of the school or during a school-sponsored activity, police authorities will be notified and their presence requested for the questioning of suspected students.

Attempts will be made to contact a student’s parent/guardian who will be given the opportunity to confer with the student and to be present with the student during such questioning unless an emergency exists. The administrator will document the contact or attempted contact with the student’s parent/guardian.

If the parent/guardian or student refuses to consent to the questioning, police authorities will determine the course of action to be pursued.

Taking a student into custody

Students may not be released to police authorities voluntarily by school officials unless the student has been placed under arrest or temporary custody or unless the parent/guardian and the student agree to the release. Administrators will make reasonable objections to police authorities who attempt to remove students from school without placing them under arrest or temporary custody or without the approval of the parent/guardian and the student.

When students are removed from school for any reason by police authorities, reasonable efforts will be made to contact the student’s parents/guardian immediately. Such efforts must be documented.

Whenever a student is removed from school without an arrest being made or being placed in temporary custody or without approval of the parent/guardian and/or the student, the administrator immediately must contact a superior of the police authorities involved and make objection to the removal of the student.

The Superintendent’s office must be notified immediately of any removal of a student from school by police authorities under any circumstances.

The principal or designee may request that police authorities not make arrests or take students into temporary custody on school premises.

Where it is necessary to take a student into temporary custody on school premises and time permits, the police authority will be requested to contact the school principal or designee and to relate the circumstances necessitating such action. When possible, the principal or designee will have the student summoned to the principal's office where the student may be taken into temporary custody.

The principal or designee may summon police authorities to the school to take a student into temporary custody. The superintendent or designee must be notified immediately.

When a student has been taken into temporary custody or arrested on school premises without prior notification to
the principal or designee, the school staff present may request the police authorities notify the principal or
designee of the circumstances as quickly as possible. In the event that the police decline to notify the principal or
designee, the school staff members must notify the principal or designee immediately.

If possible, parents/guardian of the student will be notified by the principal or designee before the student is taken
into temporary custody by police authorities or as quickly thereafter as can be accomplished. The administrator
must document such notification or attempted notification.

File: JIHB Revised October 12, 2005

Parking Lot Searches
The privilege of bringing a student-operated motor vehicle on to school property is conditioned on consent by the
student driver to allow search of the vehicle when there is reasonable grounds for such a search.

The act of bringing a motor vehicle onto school property shall allow the principal or designee to presume consent
by the student, parent/guardian or owner of the vehicle for a search of the vehicle. Refusal by a student,
parent/guardian or owner of the vehicle to allow access to a motor vehicle on school property at the time of a
request to search the vehicle shall be cause for termination, without further hearing, of the privilege of bringing the
vehicle on to school property.

The principal or designee may request a law enforcement officer to search a motor vehicle on school premises
subject to the provisions of the policy on student interrogations, searches and arrests.

File: JII Revised January 14, 2009

Student Concerns, Complaints and Grievances
Decisions made by school personnel which students believe are unfair or in violation of pertinent
Board policies or
individual school rules may be appealed to the principal or a designated representative or by following the specific
appeal process created for particular complaints (JII-E).

Grievance procedures (AC-R) are available for students to receive prompt and equitable resolution of allegations
of discriminatory actions on the basis of race, color, national origin, ancestry, creed, sex, sexual orientation,
marital status, disability or need for special education services which students are encouraged to report.

File: JII-E

St. Vrain Valley School District RE-1J, Longmont, Colorado
GRIEVANCE FORM

Name:__________________________________________________________
School:_________________________________________________________________
Home Phone:__________________________
Board Policy or administrative practice that was violated:

Date of Alleged Violation:________________________
Briefly describe the alleged violation:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Requested Remedy:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

I certify that the information I have provided in this complaint is true, correct, and complete to the
best of my knowledge and belief.

Complainant Signature ____________________________ Date ______________

Received By ____________________________ Date ______________
Please return this completed form to your building principal.

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Approval of School Sponsored Student Groups

Schools in the District may encourage students to broaden their knowledge and citizenship by permitting the formation of school sponsored student groups that relate to subject matter covered by the curriculum. Such groups shall operate within the framework of state statutes, Board policy, administrative rules and the parameters of the learning program. Examples of such groups are student council and choir.

The principal is responsible for determining that the purpose of a student group is related to the curriculum.

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

1. The subject matter of the group represents the primary or majority of content taught in a regularly offered District approved course.

2. The subject matter of the group concerns the body of school-wide courses as a whole.

3. Participation in the group is required for a particular course.

4. Academic credit or extra credit is given for participation in the group.

Each building principal shall develop general guidelines for the establishment and operation of curriculum-related school sponsored student groups within the particular school. Among other provisions, such guidelines shall require the approval of the principal prior to the formation of any student group in a school and the assignment of at least one faculty adviser to each approved student group.

The faculty adviser must attend every meeting of the curriculum-related student group whether conducted on school premises or at another location.

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

All forms of hazing in initiations shall be prohibited in a curriculum-related student group. No initiation shall be held for such student groups which will bring criticism to the school system, be degrading and/or harmful to the student, or is unlawful.

When the principal denies students or staff the right to organize and conduct meetings as a curriculum-related student group, then students may seek permission to meet as a non-curriculum student group in accordance with Board policy.

Student Discipline

The Board believes that effective student discipline is a prerequisite for sound educational practice and productive learning. The objectives of disciplining any student must be to help the student develop a positive attitude toward self-discipline and socially acceptable behavior.

All policies and procedures for handling general and major student discipline problems shall be designed to achieve these broad objectives. Disorderly students shall be dealt with in a manner which allows other students to learn in an atmosphere which is safe, conducive to the learning process and free from unnecessary disruptions.

The Board, in accordance with state law, has adopted a written student conduct and discipline code based upon the principle that every student is expected to follow accepted rules of conduct and to show respect for and to obey persons in authority. The code also emphasizes that certain behavior, especially behavior that disrupts the classroom, is unacceptable and may result in disciplinary action. The code shall emphasize proportionate disciplinary interventions and consequences, including in-school suspensions, and keeping students engaged in learning. The code shall also include plans for use of prevention, intervention, restorative justice, peer mediation, counseling, or other approaches to address student misconduct.

Immunity for enforcement of discipline code

An act of a teacher or other employee shall not be considered child abuse if the act was performed in good faith and in compliance with Board policy and procedures.

A teacher or any other person acting in good faith and in compliance with the discipline code adopted by the Board shall be immune from civil liability unless the person is acting willfully or wantonly. It is an affirmative defense in any criminal action that a person is acting in good faith and in compliance with the discipline code.

Disciplinary information to school personnel

In accordance with state law, the principal or designee 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 designee 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 principal 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 designee 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 designee is required to inform the student and the student's parent or guardian when disciplinary information is communicated and to provide a copy of the disciplinary information. The student and/or the student's parents or guardian may challenge the accuracy of disciplinary information through the administrative regulations which accompany this policy.

The District may share factual information regarding a behavior incident with parents of victims and witnesses as long as the disclosure does not indicate whether the perpetrator was found to be at fault or whether the perpetrator received any disciplinary consequences of the behavior.

**Remedial discipline plans**

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

**Discipline of habitually disruptive students**

Students who have caused a material and substantial disruption in the classroom, on school grounds, in school vehicles or at school activities or events three times during the school year in violation of their individual remedial discipline plans shall be declared habitually disruptive students. Any student enrolled in District schools may be subject to being declared a habitually disruptive student which may result in expulsion.

No student shall be declared habitually disruptive prior to the development and implementation of a remedial discipline plan. The remedial discipline plan is to address the child's disruptive behavior and their educational needs with the goal of keeping the child in school.

**Discipline of special education students**

Appropriate discipline for special education students shall be in accordance with the student's individual education plan (IEP), any behavior intervention plan and this policy. In order to comply with all state and federal laws, the special education director shall be contacted prior to the use of any disciplinary measure which is not authorized by the student's IEP or behavior intervention plan.

**Distribution of conduct and discipline code**

The superintendent shall arrange to have a copy of the conduct and discipline code provided once to each student in elementary, middle and high school and once to each new student in the District. The superintendent shall ensure reasonable measures are taken to ensure each student is familiar with the code. Copies shall be posted in each school of the District. In addition, any significant change in the code shall be distributed to each student and posted in each school.

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

**File: JK-R Revised January 9, 2013**

**Student Discipline (Remedial Discipline Plans)**

1. **Disciplinary information**

   Open communication between principals and the professional staff is essential to accomplish the educational mission of the District. It is recognized that principals have access to information about individual students that may not be otherwise available to others because this information is not recorded as part of the student's education record. To assure that information is shared with the professional staff that may be important to understanding the particular needs of individual students and any potential risk that a student might pose to the safety or welfare of others, state law requires that the principal take steps to communicate this information to teachers and counselors who have direct contact with the student.
In addition, to make sure that the information communicated is accurate, state law gives students and parents/guardians the right to challenge disciplinary information.

Whenever the principal or designee determines that disciplinary information as defined in board policy must be communicated to a teacher or counselor, the following steps will be followed:

a. The principal will prepare a brief written statement which sets forth the information to be communicated to a teacher or counselor pertaining to an individual student. If disciplinary information regarding a disabled student is transmitted, the current IEP must also be included. The statement will indicate it is a confidential document. The source of the information will be noted, if applicable.

b. The principal will communicate the information in the statement to the teacher or counselor by providing a copy of the statement. Alternatively, the principal/designee may wait until the student/parent/guardian has had a chance to challenge the content of the statement before communicating the statement to any teachers or counselors. The teacher/counselor and principal/designee may discuss the information in the statement. The principal/designee will record the names of all individuals who are given a copy of the statement.

c. A copy of the written statement regarding disciplinary information will be provided to the student and the student’s parent or guardian. However, if a student is 18 years old or older, the student may choose to inspect their own records and the parent or guardian may not inspect or review student records without written permission from the student. Such student 18 years old or older will be known as an eligible student. However, if the eligible student is a dependent for federal income tax purposes, parents/guardians are entitled along with the student to access student records.

d. The principal/designee will take steps to see that the parent/guardian of a student under 18 years of age receives a copy of the statement, either by mailing a copy directly to them and/or alerting the them to the fact that the statement has been sent to them, either by sending it home with their child or in the mail.

e. The written statement will indicate that the student and/or parent/guardian may challenge the accuracy of the disciplinary information on the basis that it is inaccurate, false or misleading unless the statement is solely a summary of an incident for which the student and parent/guardian has already been afforded a due process hearing prior to imposition of school discipline. In that case, the challenge procedures do not apply.

2. Challenges
The following procedures apply when an interested person challenges the statement of disciplinary information:

**Step 1**
A Step 1 review will be requested in writing within seven days after the receipt by the parent/guardian of the written statement. If the interested persons fail to file an intent to challenge within seven days after receiving a copy of the statement, the statement will stand as written and there will be no further opportunity to challenge that particular statement. If the parent/student challenges any part of the statement, the principal will review the part of the statement being challenged and may, by mutual agreement with the person making the challenge, destroy, delete or add the information in question.

**Step 2**
If the principal does not agree to change the written statement as requested during the Step 1 review, the parent/student may request an informal hearing with the superintendent within 10 days after the principal's decision not to change the written statement. This request must be in writing and will state the reasons for the request. The principal may file a written response to the parent's request for a Step 2 review to be considered by the superintendent. The superintendent will make a decision within 10 school days after receiving the request for Step 2 review. The superintendent may take whatever steps necessary to make a determination about the content of the statement, including discussing the matter with the parent/guardian and/or principal and making independent inquiries to determine the accuracy of the statement.

The superintendent may decide that the statement should be revised in accordance with the parent/guardian position or may decide to uphold the principal's statement as accurate. The superintendent's decision is final.

Once an appeal has been held on the disciplinary information contained in a statement, that statement may be communicated to teachers/counselors during the school year without any further challenge. If the statement had been communicated prior to the conclusion of the challenge, and changes were made to the statement, the principal/designee will see that all those who received the original statement are provided a copy of the revised statement.

Any teacher or counselor who receives a statement containing disciplinary information will maintain the
confidentiality of the information and will not communicate the information to any other person. A violation of this provision will result in appropriate disciplinary action.

3. Remedial discipline plans
   The principal will develop a remedial discipline plan for every student who is suspended for the second time for a material and substantial disruption. (All references to duties performed by a principal may be delegated to other school officials as appropriate.)

   The following provisions will apply to the remedial discipline plan:
   a. The principal has the discretion to develop a plan for any student prior to a suspension.
   b. To develop the plan, the principal will arrange for a meeting with the student, the student's parent/guardian and any members of the staff whom the principal believes should attend.
   c. The purpose of the meeting will be to address the reasons for the student's disruptive behavior and cooperatively to establish goals, objectives and timelines to modify such behavior. A written plan will be prepared which addresses the student’s disruptive behavior, specific educational needs and what steps are necessary to keep the child in school. The plan will include consequences if the student is disruptive in violation of the plan.
   d. The plan may be written in the form of a contract which the student, parent/guardian, and the principal/designee will sign and date.
   e. The parent/guardian will be provided a copy of the remedial discipline plan and it will be placed in the student's cumulative file.

4. Disruptive behavior by special education students will be dealt with in accordance with the student's individual education plan (IEP), any behavior intervention plan and Policy JK, Student Discipline. These procedures for disruptive student behavior apply only to the extent that staff members must file incident reports on disruptive behavior by all students. It will be the responsibility of the disciplinary officer and other appropriate District personnel to coordinate these procedures with a special education student's IEP and any behavior intervention plan.

5. Habitually disruptive students
   A student will be declared "habitually disruptive" if three times during the course of the school year the student causes a material and substantial disruption in the classroom, on school grounds or at school activities or events.
   a. The principal will inform the superintendent or designee when a student is disruptive for the second time in violation of his or her remedial discipline plan.
   b. The student and the parent/guardian will be notified in writing of each disruption which counts toward declaring the student habitually disruptive.
   c. A student who has been declared habitually disruptive may be suspended or expelled in accordance with Board policy JKD/JKE.

6. The term “material and substantial disruption” includes but is not limited to the following willful or reckless conduct which causes a disruption in the classroom, on school grounds, in school vehicles or at school activities or events and which requires the attention of school personnel to deal with the disruption:
   a. Making coarse and offensive utterances, gestures or displays
   b. Abusing, harassing or threatening another person
   c. Making loud or offensive noise
   d. Violating any State Statute or Board policy governing student conduct.

7. Expulsion prevention * (This information is contained in Board policy JKG)
   The principal is directed to work with the professional staff to identify students who are at risk of suspension or expulsion from school. Among those students who may be at risk are those who have been or are likely to be declared habitually truant or habitually disruptive.

   Support services will be provided to students who are identified as at risk of suspension or expulsion to help them avoid expulsion. The parent/guardian will be included when determining an appropriate support service for the student. 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 to assist a student in avoiding an expulsion may also be available through local and state governmental agencies, community-based organizations and institutions of higher education.

   **File:** JKA Revised February 12, 2014

   **Use of Physical Intervention**

   In dealing with disruptive students, any person employed by the district may, within the scope of his/her employment, use reasonable and appropriate physical intervention or force as necessary for the following
purposes:
1. To quell a disturbance threatening physical injury to others.
2. To obtain possession of weapons or other dangerous objects upon a student or within the control of a student.
3. For the purpose of self-defense.
4. For the protection of persons or property.

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.

Under no circumstances shall a student be physically held for more than five minutes unless the provisions regarding restraint, contained in Board Regulation JKA-R, are followed.

Any method or device used to involuntarily limit a student's freedom of movement for more than five minutes, including a physical force, physical restraint, or seclusion, shall be in compliance with state law on protecting persons from restraint. The Superintendent or designee shall develop procedures and a training program related to the use of restraint consistent with this policy and state law.

Corporal punishment shall not be administered to students by anyone in any District school.

District employees shall not use restraint as a punitive form of discipline or as a threat to control or to gain compliance of a student's behavior.

**Use of Physical Intervention**

**Restraint Definitions**

Restraint is defined under state law as any method or device used to involuntarily limit freedom or movement, including but not limited to physical restraint, mechanical restraint, restraint using prescribed medication, and seclusion. Mechanical restraint and chemical restraint (using prescribed medication) are not approved methods for public agencies.

Physical restraint means the use of bodily, physical force to limit an individual's freedom of movement.

Seclusion means the placement of a student alone in a room from which egress is prevented and is considered a restraint.

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 the protection of the student or other persons; exception, seclusion for any length of time is considered a restraint;
c. the use of time-out.

Time-out is the placement of a student alone in a room or in a specified 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. Egress from time-out rooms or areas shall not be involuntarily prevented.

**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, probably, 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.

**Duties relating to the use of restraint**

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

A student in physical restraint shall be released from such restraint within fifteen minutes after the initiation of physical restraint, except when precluded for safety reasons.

**Staff training**

Staff shall receive annual in-service training on the appropriate use of restraint. The training shall include the requirement that staff explain, where possible, the use of restraint to the individual who is to be restrained and to the individual’s family.
Documentation and review
As soon as practicable, staff shall make an appropriate notation of the use of restraint in the student’s record and notify the building principal of the use of restraint. The principal shall review the use of restraint to determine whether it was in compliance with state law, Board policy, and this regulation.

Note: Specific laws regarding seclusion of students with mental illness apply. If the school has been designated by the Superintendent or designee to provide treatment to a mentally ill student, seclusion may be used to eliminate a continuous and serious disruption of the treatment environment.

Note: Specific laws regarding the restraint of students with developmental disabilities apply. Advice of counsel may need to be sought when developing plans for students with such disabilities to ensure that development and implementation of plans is consistent with state and federal law.

File: JKB  Adopted June 11, 2008

Detention of Students
The Board recognizes its responsibility to give reasonable support and assistance to teachers with respect to the maintenance of control and discipline in the classroom and on school premises. Teachers and school administrators are encouraged to deal with the disciplinary problems of a specific student in as constructive a manner as possible, given the circumstances. One of the options that may be used is the detention of a student during or after the school day.

A teacher may detain a student after school for disciplinary reasons, but not ordinarily for more than 30 minutes. A student who rides the bus to school may be kept in at noon instead of after school, unless the teacher or principal has made prior arrangements with the parents/guardians.

File: JKBA  Revised May 14, 2008

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 District’s code of conduct or a teacher’s classroom rules which have been approved by the school administrator 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;
3. seriously interferes with the ability of the teacher to teach the class or other students to learn; or
4. violates the classroom rules which have been pre-approved by the administration.

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 or designee shall establish procedures to ensure that the implementation of this policy is consistent 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. Behavior that interferes with the classroom environment will not be tolerated.

A student who engages in classroom conduct or behavior prohibited by the classroom rules may be temporarily removed from class by a teacher.

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 an instructional program. "Classroom rules" means those rules adopted by a teacher, and reviewed and approved by the building principal, governing student conduct and behavior within that teacher's class.

Informal removal from class or class participation

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 from the class or from class participation 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 either the same day or the following 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 or designee makes decisions regarding expulsion. Thus, a teacher’s decision to remove a student from class for behavior which is also covered by District policies regarding suspension and expulsion may, but does not necessarily, mean that the student will also be suspended or expelled from District schools.

2. Disruptive, dangerous, unruly or inappropriate behavior. The following behavior, by way of example and without limitation, may be determined to be disruptive, dangerous, unruly or inappropriate:
   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, or ethnic intimidation;
   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, manifested in words, gestures, or other overt behavior;
   b. Open disrespect of the teacher, manifested 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 formal removal from class. When the teacher determines that formal removal is appropriate, the teacher should take one or more of the following courses of action as may be appropriate under the circumstances.

1. Instruct the student to go to the main office. Unless prevented by the immediate circumstances, the teacher shall immediately inform the office of the reason for the student’s removal;
2. If the teacher deems it necessary, obtain coverage for the class and escort the student to the main school office. The teacher shall inform the building principal or designee of the reason for the student’s removal from class;
3. Seek assistance from the main school office or other available staff. When assistance arrives, the teacher or the other staff member should accompany the student to the main office. The principal or designee shall be informed of the reason for the student’s removal.

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

Notice to parent/guardian

As soon as practical, but within 24 hours after the first formal removal from class, the teacher shall notify the student’s parent/guardian by telephone or in writing that the student was removed, the duration of the removal, and the basis for the removal. The teacher shall provide an opportunity for the parent/guardian to attend a teacher-student-parent/guardian conference regarding the removal to be held as soon as practical. A conference need not be held prior to the student’s return to class. If the student’s removal from class is also subject to disciplinary actions (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.

As soon as practical, but within 24 hours after the second formal removal, the building principal or designee shall notify the student’s parent/guardian by telephone or in writing that 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 for the purpose of developing a disciplinary plan of action. A student shall not be returned to such class after a second formal removal unless such conference and plan has been developed. If the student’s removal from class is also subject to disciplinary actions (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.

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 including work provided by the teacher who removed the student from that class. Such work may also be related to the student’s misconduct. In no event shall a student’s time in the short-term removal area be non-academic, recreational or other free time. At the discretion of the building principal or designee, the student may be placed in another short-term removal area, including an appropriate class, program or educational setting, provided students are supervised in such alternative setting.

In most cases, a student shall remain in the short-term removal area or alternative setting 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, in consultation with the parent/guardian, shall develop a behavior plan for the student upon the student’s second formal 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.

Removal for the remainder of term

Upon the third formal removal from class, and upon notice, a student shall be officially removed from the teacher’s class for the remainder of that term in accordance with the behavior plan. 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.
A student removed from class for the remainder of the term shall be provided a reasonable opportunity to complete all class work and receive full-credit for that class. However, once a student is officially removed from class, a loss of credit or partial credit could occur if the principal determines that it would be too disruptive to enroll the student in another class after the start of the term, that such placement would not be practical due to other scheduling factors, or there is no practical means by which the student is able to make up the work.

**Review of data and removal procedures 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 and removal procedures with that school’s teachers at least annually.

A student may be formally 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, specifically including the Individuals with Disabilities Education Act. All teacher actions under this policy shall be subject to supervision by the teacher’s supervisor as provided in school district policies and procedures.

**Due Process**
The principal or designee shall take such reasonable actions as deemed necessary under the circumstances to be satisfied that there is a reasonable probability that the student engaged in the behavior or conduct which lead to the second formal removal from class. In the event that the student denies the behavior or conduct forming the basis for the removal, the principal or designee shall afford an opportunity for the student to explain his or her behavior or conduct, and may conduct such other investigation as deemed appropriate, including, if necessary, interviewing other students who observed the behavior or conduct. This due process hearing may be held in conjunction with the parent/guardian conference.

File: JKD/JKE Revised January 9, 2013

**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. (see JKD/JKE-R)

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

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

**Delegation of authority**

1. The Board of Education delegates to each principal of the school district or to a person designated in writing by the principal the power to suspend a student in his/her 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).
2. The Board of Education delegates to the Superintendent 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. The total period of suspension shall not exceed 25 school days.
3. The Board of Education delegates to the Superintendent, 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. 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.
Each semester, the Superintendent will provide a written summary of expulsion information to the Board.

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

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

Expulsion for unlawful sexual behavior or crimes 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 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.

Restrictions imposed on suspended/expelled students
1. Suspension
   During a period of suspension, a student shall not attend any classes or participate in any school or District activities or extracurricular activities or functions and shall not be present on any school grounds or on any school property within the district without the express advance consent of the suspending principal. A violation of this policy may result in criminal charges of trespass.

   A suspended student shall be required to make up all missed course work.

   Upon termination of the suspension, the student shall return to school and shall be eligible to participate in school activities and functions.

2. Expulsion
   During a period of expulsion, a student shall not attend any classes or attend or participate in any school or District activities or extracurricular activities or functions on or off District property. An expelled student shall not be present on any school grounds, which includes busses, within the District without the express advanced consent of the Superintendent. A violation of this policy may result in criminal charges of trespass.

   Educational programs may be made available to expelled students with the approval of the Superintendent/designee.* An expelled student shall remain subject to the requirements of the school attendance law, and if the student is of compulsory attendance age the student’s parents/guardians shall remain responsible for the expelled student’s education either through a home school program, private school or other approved means.

Annual reports
As part of its annual report to the State Board of Education, the Board shall include 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.

Information to parents/guardians
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. Upon the request of the expelled student's parent(s)/guardian(s), the District will provide educational services during the period of expulsion, as determined by the District.* If the parent or guardian chooses to provide a home-based education program for the student, District personnel shall assist the parent or guardian in obtaining appropriate curricula for
the student if requested by the parent or 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.

*Educational services will be provided to the extent they are funded by the State Legislature, the Department of Education, grants or by existing agreements with community agencies.

File: JKD/JKE-R Revised January 9, 2013

Suspension/Expulsion of Students

A. Procedure for suspension of 10 days or less

Through written policy the Board of Education has delegated to any school principal or to a person designated in writing by the principal, 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 shall 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, their designee or the superintendent at the time of contemplated action will give the student and parent/guardian notice of the contemplated action. Such notice may be oral or in writing. If oral, such notice will be followed by written notice. If written, delivery will be deemed to be completed at such time as the notice is deposited in the United States mail addressed to the last known address of the student or their 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 set out formally but should sufficiently inform the student or their parent/guardian of the basis for the contemplated action.

3. Informal hearing The student will be given an opportunity to admit or deny the accusation and to give his version of the events. The principal or designee may go further in allowing the student to present witnesses or may themselves call the accuser and hold a more extensive hearing in order to make a proper decision on the contemplated action. 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.

4. Emergency suspension (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, but notice and informal hearing should follow as soon thereafter as practical.

5. Decision If following the informal hearing the disciplinary action contemplated involves suspension, the principal or designee will base their decision as to whether to suspend primarily on the informal hearing. If a principal or designee determines that suspension is warranted, they may suspend the student for a period not to exceed five school days. If the suspension is for serious violations, the period of suspension may be up to and including 10 school days. The duration of the suspension will be subject to the policies and regulations of the Board.

6. Notification following suspension If a student is suspended, the principal or designee delegated the authority to suspend immediately will 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 principal to review the suspension.

7. Removal from school grounds A suspended student must leave the school building and the school grounds immediately following a determination by the parent/guardian and the principal or designee of 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 principal or designee, the parent/guardian has substantially agreed to review the suspension with the principal or designee. However, if the principal or designee cannot contact the parent/guardian or if the parent/guardian repeatedly fails to appear for scheduled meetings, the principal or designee may readmit the student. The meeting shall address whether there is a need to develop a remedial discipline plan for the student in an effort to prevent further disciplinary action.

9. **Make-up work.** Suspended students shall be provided an opportunity to make up school work during the period of suspension, so the student is able to reintegrate into the educational program of the District following the period of suspension. Students will receive full or partial academic credit to the extent possible for make-up work which is completed satisfactorily. In determining whether to provide full or partial credit, pursuant to state law, the goal is to reintegrate the student back into the classroom and help prevent the student from dropping out.

10. **Procedure in lieu of suspension.** In lieu of suspension, a student may remain in school with the consent of their teachers if their parent/guardian agrees to attend all classes 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 classes with the student, the student will be suspended. The principal or designee may determine that the student’s presence in school, even with their parent/guardian, poses a threat or potential for disruption. In this case, the option for the student to attend with a parent/guardian may not be permitted.

B. **Procedure for extension of suspensions**

1. The Superintendent at his/her discretion may extend a suspension imposed by a principal or designee for a period not to exceed 10 school days. Such extension may be accomplished without further conference or prior notice. The student and their parent/guardian will be given written notice of the extension.

2. Following an initial extension of a suspension, the Superintendent may extend the suspension for an additional 10 school days if necessary in order to present the matter at the next meeting of the Board. If it is determined that an additional suspension is warranted, the parent/guardian will be notified as soon as practical. The total period of suspension shall not exceed 25 school days.

3. No student will be readmitted to school until a meeting or conference with the Superintendent has taken place and the circumstances of the suspension reviewed.

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

In the event that the Superintendent contemplates action denying admission to any student or prospective student or expelling any student, the following procedures will be followed (if mandatory expulsion proceedings are pending and the student(s) involved chooses to withdraw from school prior to the expulsion hearing, the District will proceed with the expulsion process.):

1. **Notice.** Prior to the date of the contemplated action, the Superintendent will cause written notice of such proposed action to be delivered to the student and their parent/guardian. Such delivery may be in person or by United States mail and will be deemed to be completed when the notice is deposited in the United States mail addressed to the last known address of the student or their 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 providing 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 alleged reasons 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 their parent/guardian.
   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 them, that they will have an opportunity to present such information as is relevant and that they may be accompanied and represented by their 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.** The hearing will be conducted by the Superintendent or designee. The hearing may be conducted in open session or may be closed except to those individuals deemed advisable by the Superintendent or designee but including in all events the student, their 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 will be presented under oath if requested by either party. However, technical rules of evidence will not be applicable, and the Superintendent or designee may consider and give appropriate weight to such information or evidence deemed appropriate. The student or their 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.

If the hearing is conducted by a designee, findings and recommendations will be forwarded to the Superintendent. The Superintendent will render a written decision no later than five school days after the hearing. The decision will be delivered to the student or their parent/guardian in the manner described above. In his/her opinion, the Superintendent may establish reasonable conditions for readmission as well as the duration of the expulsion which may not extend beyond one calendar year.

Each semester, the Superintendent will provide a written summary of expulsion information to the Board.

5. **Appeal.** The student or their parent/guardian will have the right to appeal the decision of the Superintendent to the Board provided that the Superintendent is given written notice of such appeal within 10 school days of the Superintendent’s decision. The Board will set the matter for hearing at its next regular meeting.

The appeal will consist of a review of the facts which were presented and which were determined at the expulsion hearing conducted by the Superintendent or designee, arguments relating to the decision, and questions of clarification from the Board. No additional facts or evidence may be presented except with Board approval.

Upon conclusion of the hearing, the Board may vote to affirm, reverse or modify the Superintendent’s decision. The Board’s decision will be communicated orally and entered in the minutes of the meeting. Upon written request, the Board’s decision will be reduced to writing for purposes of further judicial review pursuant to state law.

6. **Parental responsibility.** If a student between the ages of six and 16 is expelled, the parent/guardian will be responsible for ensuring compliance with the compulsory school attendance law during the expulsion period. 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 of a 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 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 through the juvenile justice system.

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.

Additionally, the District retains the right to assign the student returning from expulsion to any school site in the District, if deemed appropriate.

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 principal or designee cannot contact the parent/guardian or if the parent/guardian repeatedly fails to appear for scheduled meetings, the principal or designee may readmit the student.
D. Procedure for expulsion 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 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. The student's behavior was detrimental to the safety or welfare of other students, teachers or school personnel.
   b. Educating the student in school would disrupt the learning environment, provide a negative example for other students or create a dangerous and unsafe environment for students, teachers or other school personnel.
   c. Grounds for expulsion of the student exist.

2. If it is determined that the student should not be educated in the schools of the District and that grounds for expulsion exist, the District will proceed with the expulsion of the student, in accordance with the procedures set forth above.

3. Alternatively, expulsion proceedings may be postponed, pending the outcome of the court proceedings. If the expulsion proceedings are postponed, the student will not be permitted to return to school during that period. An appropriate alternative education program or home-based education program will be established for the student during the period pending the resolution of the juvenile proceedings. The time that a student spends in an alternative education program shall not be considered a period of expulsion.

4. If the student pleads guilty to the charge, is found guilty or is adjudicated a delinquent juvenile, the Board or designee may proceed to expel the student following the procedures set forth in these regulations.

5. If a crime of violence is committed by a student with disabilities, the student will not be expelled or removed from school unless a qualified manifestation committee has determined that the student's conduct was not a manifestation of the student's disability. Discipline procedures for any student with a disability will be in accordance with state and federal law and Board policy.

6. Information regarding the details of the alleged crime of violence will be used by the Board or its designee for the purposes set forth in this policy, but will remain confidential unless the information is otherwise available to the public by law.

*Educational services will be provided to the extent they are funded by the State Legislature, the Department of Education, grants or by existing agreements with community agencies.

File: JKD/JKE-E Revised January 9, 2013

Grounds for Suspension/Expulsion

According to Colorado Revised Statutes 22-12-105 (3) and 22-33-106 (1) (a-g) and 3 (e), the following may 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 except that if the child who creates such a threat is a disabled child pursuant to Section 22-20-103 (4). Such child may not be expelled if the actions creating such threat are determined to be a manifestation of such child’s disabling condition.

4. Declaration of an habitually disruptive student.
   a. For purposes of this paragraph, ‘habitually disruptive student’ means a child who has caused a material and substantial disruption three times during the course of the school year, on school grounds, in a school vehicle, or at school activities or events. Any student who is enrolled in a public school may be subject to being declared an habitually disruptive student.
   b. The student and the parent, guardian, or legal custodian shall have been notified in writing of each disruption counted toward declaring the student as habitually disruptive and the student and parent, legal guardian, or legal custodian shall have been notified in writing and by telephone or other means at the home or the place of employment of the parent or legal guardian of the definition of “habitually disruptive student”.
   c. No child shall be declared to be a 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 District shall encourage and solicit full participation of the child's parent, guardian, or legal custodian in the development of the remedial discipline plan.

5. The use, possession or sale of a drug or controlled substance as defined in C.R.S. 18-18-102 (5).

6. The commission of an act which, if committed by an adult, would be robbery pursuant to Part 3 of 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.

7. The carrying, bringing, using or possessing a dangerous weapon without the authorization of the school or the school district administration. In accordance with federal law, expulsion shall be mandatory and for no less than one full calendar year for a student who is determined to have brought to or possessed a firearm at school. The superintendent may modify the length of this federal requirement for expulsion on a case-by-case basis. Such modification will be in writing.

For purposes of this paragraph, "dangerous weapon" means:
   a. A firearm, whether loaded or unloaded.
   b. Any pellet or BB gun or other device, whether operational or not, desired to propel projectiles by spring action or compressed air.
   c. 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.
   d. Any object, device, instrument, material, or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury.

8. Repeated interference with a school’s ability to provide educational opportunities to other students.

9. Carrying, using, actively displaying, or threatening with the use of a firearm facsimile that could reasonably be mistaken for an actual firearm in a school building or in or on school property.

10. Failure to comply with the provisions of Part 9, Article 4, Title 25, 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.

11. Making a false accusation of criminal activity against a District employee to law enforcement or to the District.

According to C.R.S. 22-33-106(2), subject to the District's responsibilities under the Exceptional Children’s Education Act, 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 to be detrimental to the welfare of other students.

   File: JKF Revised October 12, 2005

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 General Equivalency Diploma (GED), whichever is deemed appropriate by the District.

Educational services includes tutoring, alternative educational programs, including online 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. Costs for such services will be the responsibility of the parent/guardian/student.

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.

All expelled students receiving services will be included in the District's pupil enrollment, including those expelled prior to the October count date.
* Educational services will be provided to the extent they are funded by the State Legislature, the Department of Education, grants or by existing agreements with community agencies.

**File: JKG Revised October 12, 2005**

**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. 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 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 intervention 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 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 measure.

**File: JLCB Revised June 11, 2008**

**Immunization of Students**

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/guardian requesting local health officials to administer the immunizations or a valid exemption will be suspended and/or expelled from school according to Board Regulation JLCB-R.

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

**File: JLCB-R Revised June 11, 2008**

**Immunization of Students**

1. No student may attend school in the District unless the student has presented to the school an up-to-date certificate of immunization or a completed exemption form. The student may register but shall not be allowed to attend school until the immunization record is received. A student shall be exempted only upon submission of one of the following:
   a. certification from a licensed health care provider 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 the student adheres to a religious belief whose teachings are opposed to immunizations.
   c. statement signed by one parent/guardian or the emancipated child that the student holds a personal belief that is opposed to immunizations.

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

2. The District/school will provide upon request a listing of immunizations required by the Colorado Department of health. The school nurse is responsible for ensuring that the listing of required immunizations is up-to-date.
3. If there is a failure to comply with the immunization requirements, the principal or designee 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 certified mail, return receipt requested. E-mail is not an adequate source of notification. Emancipated students must be contacted directly rather than through their parent/guardian.

The parent/guardian or emancipated student will be notified of the following:
   a. that up-to-date immunizations are required under Colorado law.
   b. that within fourteen (14) days of notification, the parent/guardian must submit 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 complete the written plan, the student will be expelled or suspended.

4. A student who fails to comply shall be suspended by the principal for up to five (5) days and notice of the suspension sent to the Colorado Department of Health.

5. If no certificate of immunization is received during the period of suspension, the Superintendent or designee shall institute proceedings for expulsion.

6. Any expulsion under this policy will terminate automatically upon compliance.

7. Record of any such expulsion will be contained in the student’s health file, with an appropriate explanation – not in the student’s disciplinary cumulative file.

Note: All information regarding immunization distributed to parents/guardians or emancipated students by the District shall inform them of their rights as listed above.

Note: A health care provider is defined as an M.D., D.O., Nurse Practitioner, P.A., Dentist or Psychiatrist.

File: JLCD Revised April 23, 2008

Administering Medicines to Students

Medication may be given legally only by school personnel whom a school nurse has trained and delegated the task of giving such medication. No prescription or nonprescription medication shall be administered at school by the school nurse or other delegate without the following requirements being met:

1. Medication shall be in the original properly-labeled container. If it is a prescription medicine, the student’s name, name of the drug, dosage, time for administering, name of physician and current date shall be printed on the container.
2. The school shall have received written permission from the health care provider to administer the medication.
3. The school shall have received written permission from the parent/guardian to administer the medication. When such a request is made by a parent/guardian, a full release from the responsibilities pertaining to side effects or other medical consequences also must be presented.

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

Self-Administration of Medication

A student with asthma, severe allergies, diabetes, or other life-threatening conditions may possess and self-administer medication to treat such conditions. Self-administration of such medication may occur during school hours, at school-sponsored activities, or while in transit to and from school or a school-sponsored activity. Student possession and self-administration of such medication shall be in accordance with Regulation JLCD-R.

Authorization for a student to possess and self-administer medication to treat the student’s asthma, severe allergies, diabetes or other life-threatening condition may be limited or revoked by the school principal after consultation with the school nurse and the student’s parent/guardian if the student demonstrates an inability to responsibly possess and self-administer such medication.

Sharing, borrowing or distribution of medication is prohibited. The student’s authorization to self-administer medication may be revoked by the school principal after consultation with the school nurse and the student’s parent/guardian and the student may be subject to disciplinary consequences, including suspension and/or expulsion, for violation of this policy.

Note: A health care provider is defined as an M.C., D.O., Nurse Practitioner, P.A., Dentist or Psychiatrist.
Administering Medicines to Students

If under exceptional circumstances a student is required to take oral medication during school hours and the parent/guardian cannot be at school to administer medications, only the school nurse or the nurse’s designee will administer the medication in compliance with the following regulations.

1. All directives of the accompanying policy will be followed.
2. Written orders from the student’s health care provider must be on file in the school stating:
   a. Student’s name
   b. Name of drug
   c. Dosage
   d. Purpose of the medication
   e. Time of day medication is to be given
   f. Anticipated number of days it needs to be given in school
   g. Possible side effects
   h. Signature of parent, which serves as authorization to give the medication
   i. Signature of health care provider
3. The medication must be brought to school in a container appropriately labeled by the pharmacy or health care provider.
4. An individual medication log will be kept of such prescription medications administered by school personnel.
5. Medication will be stored in a clean, locked cabinet/container. Unless these requirements can be met, medication will not be administered at school.

Procedure for Administering Medication

1. Identify the student.
2. Identify the medication and confirm the following:
   a. Student’s name on the bottle
   b. Date of medication on the bottle
   c. Name of medication on the bottle
   d. Dosage of medication on the bottle
   e. Instructions on the bottle for giving the medication
3. Compare information on medication bottle with medication log information.
4. Confirm the health care provider’s order is attached to the medication log.
5. Check to see that the medication has not been given already for that day and time by other school personnel.
6. Administer the medication to the student as directed.
7. Record time the medication is given on the student’s medication log.
8. Return medication to the locked cabinet/container.

Self-Administration of Medication

A school shall permit a student to possess and self-administer medication for asthma, severe allergies, diabetes or other life-threatening conditions, if all of the following conditions are met:
1. Written authorization signed by the student’s health care provider must be on file with the school which shall include the student’s name; the name, purpose, prescribed dosage, frequency, and length of time between dosages of the medication(s) to be self-administered; and confirmation that the student has been instructed and is capable of self-administration of the medication.
2. The student demonstrates to the school nurse or designee that he/she possesses the skill level necessary to administer the medication as prescribed.
3. The school nurse and the student’s health care provider collaborate to develop a written treatment plan for managing the student’s asthma or anaphylaxis episodes and the medication use by the student.
4. Documentation assigning levels of responsibility to the student’s parent/guardian, the student, and the school nurse or designee must be on file with the school.

A treatment plan authorizing a student to possess and self-administer medication for asthma or anaphylaxis shall be effective only for the school year in which it is approved. The school shall permit a student to possess and self-carry medication in subsequent school years only if the conditions specified above are met.

A student shall report to the school nurse or designee or other adult at the school immediately after the student uses an epinephrine auto-injector during school hours. Upon receiving such report from a student, the individual notified will provide appropriate follow-up care to the student, which shall include making a 911 emergency call.
Note: A health care provider is defined as an M.D., D.O., Nurse Practitioner, P.A., Dentist or Psychiatrist.

File: JLCDA Adopted June 9, 2010

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 JLCD, Administration of Medications.

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

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

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

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

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

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

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

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

Exceptions to policy

Nothing in this section of the policy shall:

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

5. be construed to require parental notice or consent for assessments used to collect evidence of what a student knows and is able to do and to measure a student’s academic progress toward attaining a content standard

6. limit the ability of the District to administer a suicide assessment or threat assessment

Surveys, assessments, analysis or evaluation for marketing purposes

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

Annual notice

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

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

Psychiatric/psychological/behavior testing methods or procedures

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

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

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

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

Special education evaluation

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

File: JLF Revised August 10, 2011

Reporting Child Abuse/Child Protection

It is the policy of the Board that the District complies with the Colorado Children’s Code regarding the reporting of suspected child abuse or neglect.
To that end, any school official or employee who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect, as defined by statute, shall immediately report or cause a report to be made to the appropriate county department of social services or local law enforcement agency. Failure to report promptly may result in civil and/or criminal liability. A person who reports child abuse or neglect in good faith is immune from civil or criminal liability.

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

The Superintendent or designee shall provide annual in-service programs for all employees in order to provide them with information about the Colorado Children’s Code, 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 or designee shall submit such procedures as are necessary to the Board for approval to accomplish the intent of this policy.

If a school employee or official learns from a person who is eighteen years of age or older that such person was an alleged victim of suspected abuse or neglect while under the age of eighteen, the school employee or official need not report the alleged abuse UNLESS the employee or official:

1. has reasonable cause to know or suspect that the perpetrator of the suspected abuse or neglect has subjected any other child currently under eighteen years of age to abuse or neglect or to circumstances or conditions that would likely result in abuse or neglect; or

2. If the alleged perpetrator is currently in a position of trust, as defined in section 18-3-401 (3.5), C.R.S., with regard to any child currently under eighteen years of age.

However, this statutory obligation does not require school employees or officials to investigate or make further inquiry regarding the status of such alleged perpetrators.

File: JLF-R Revised April 23, 2008

Reporting Child Abuse/Child Protection

1. Definition of Abuse or Neglect
   Child abuse or neglect is defined in law as “an act or omission which seriously threatens the health or welfare of a child.” Specifically, this refers to:
   a. Evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bone, subdural hematoma, soft tissue swelling, or death and such condition or death which is not justifiably explained or where the history given concerning such condition or death is at variance with the condition or the circumstances indicate that the condition may not be the product of an accidental occurrence.
   b. Any case in which a child is subject to sexual assault or molestation, sexual exploitation or prostitution.
   c. Any case in which a child is in need of services because the child’s parent/guardian, or custodian fails to take the same actions to provide adequate food, clothing, shelter, medical care or supervision that a prudent parent/guardian or custodian would take.
   d. Any case in which a child is subjected to emotional abuse which means an identifiable and substantial impairment or risk of impairment of the child’s intellectual or psychological functioning or development.
   e. Any act or omission described as neglect in state law as follows:
      i) A parent/guardian or legal custodian has abandoned the child or have subjected the child to mistreatment or abuse or allowed another person to mistreat or abuse the child without taking lawful means to stop such mistreatment or abuse and prevent it from recurring.
      ii) The child lacks proper parental care through actions or omissions of the parent/guardian or legal custodian.
      iii) The child’s environment is injurious to his/her welfare.
      iv) A parent/guardian or legal custodian fails or refuses to provide the child with proper or necessary subsistence, education, medical care or any other care necessary for his/her health, guidance or well-being.
      v) The child is homeless, without proper care or not domiciled with his/her parent/guardian or legal custodian through no fault of such parent/guardian or legal custodian.
vi) The child has run away from home or is otherwise beyond the control of his/her parent/guardian or legal custodian.

vii) A parent/guardian or legal custodian has subjected another child or children to an identifiable pattern of habitual abuse and the parent/guardian or legal custodian has been the respondent in another proceeding in which a court had adjudicated another child to be neglected or dependent based upon allegations or sexual or physical abuse or has determined that such parent/guardian’s or legal custodian’s abuse or neglect caused the death of another child; and the pattern of habitual abuse and the type of abuse pose a current threat to the child.

2. Annual Training
Each school principal or designee shall review this policy, regulation and exhibit with all school staff members on an annual basis at the beginning of the school year. The Executive Director of Student Services or designee will insure that this information is reviewed with all other District employees having routine contact with students in that same time frame on an annual basis.

3. Reporting Requirements
Any school employee who has reasonable cause to know or suspect that any child is subjected to abuse or to conditions that might result in abuse or neglect must immediately upon receiving such information report such fact to the appropriate county department of social services or appropriate law enforcement agency. The employee must follow any oral report with a written report sent to the appropriate agency. The standard written report format is available at each school and/or through the Department of Learning Services. In cases where the suspected or known perpetrator is a school employee, the report should be made to the law enforcement agency. (Reports made to social services will be referred to law enforcement.)

If a child is in immediate danger, the employee should call 911. “Immediate” refers to abuse that occurs in the employee’s presence or has just occurred.

The employee reporting suspected abuse/neglect to social services or law enforcement officials must inform the school principal as soon as possible orally or with a written memo. The ultimate responsibility for seeing that the oral and written reports are made to social services or law enforcement agencies lies with the school official or employee who had the original concern. Adequate follow-up is required to insure that such reports have been made.

4. Contents of Report
The following information should be included to the extent possible in the initial oral report:

a. Name, age/date of birth, and sex of the child.

b. Name, address and phone number of the child’s parents/guardians and/or persons with whom the child lives.

c. Name and address of the person, if known, believed responsible for the suspected abuse or neglect, as well as any other pertinent information about this individual.

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 dates 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.

It is helpful if the person reporting suspected abuse/neglect is prepared to give documentation. Thus, noting details of observations is important. It is permissible for the school official or employee to conduct a preliminary non-investigative inquire of any injury or injuries under the following circumstances:

a. School personnel may inquire of the child how an injury occurred. Leading and/or suggestive questions should be avoided. School personnel may not contact the child’s family or any other person suspected of causing the injury or abuse to determine the cause of the suspected abuse or neglect.

b. A school employee’s reasonable cause to suspect that the child has been subjected to abuse or neglect may arise from a child’s vague or inconsistent response to such an inquiry or from an explanation which does not fit the injury.

c. All efforts must be made to avoid duplicate or numerous interviews of the victim.

5. After Filing Reports
After the report is made to the agency, District and school staff members will cooperate with social services and law enforcement in the investigation of alleged abuse or neglect. The school will report any further incidents of abuse to the agency’s representative.

As the case is being investigated, the school will provide support services for the child.

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:

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 parent/guardian.

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.

a. If any school employee has questions about reasonable cause of child abuse and the need for making a report, they may consult with the school principal and/or the appropriate director of Learning Services, unless the alleged perpetrator is an employee, then they should notify the Assistant Superintendent of Human Resources. Consulting with the county department of social services may be advisable.

Note that consultation with another school official or employee will not absolve the school official or employee of the responsibility for reporting child abuse.

b. In an emergency situation requiring retention of the child at the school building due to fear that if released the child’s health or welfare might be in danger, it should be observed that only law enforcement officials have the legal authority to hold a child at school. Otherwise a court order must be obtained to legally withhold a child from their parent/guardian.

c. When any school official or employee has a question about the thorough investigation of suspected abuse/neglect following the filing of a report, they should contact the school principal, the appropriate director of Learning Services and/or the county department of social services.

d. While all school officials and employees are reminded of their legal responsibility to report suspected cases of abuse or neglect, they may be assured that reports will be investigated by trained professionals and that there are more supportive and therapeutic treatment alternatives for parents/guardians, and/or other persons with whom the student lives than there have been in the past.

e. The confidential nature of information pertinent to child abuse or neglect cases is a matter to be emphasized both legally and humanely.

File: JLIIF Adopted February 27, 2002

Use of Safety and Security Technologies

The Board of Education recognizes the District’s responsibility in maintaining the safety and security of students, staff and public property.

It further recognizes that the goal of assuring safety and security is best implemented with a multifaceted approach as described in Board Policy JLI. To the extent that modern electronic technologies assist in providing another tool to establish and maintain safer environments, the use of electronic technologies are endorsed by the Board of Education. However, this endorsement is measured by a constant vigilance to carefully weigh and balance the use of electronic technologies that may be capable of surveillance against a reasonable expectation of privacy for students and staff while on school premises or vehicles. The test of that measure will be the ability to demonstrate that such a technology does, indeed, provide a level of security that without it, the safety of students, staff or public property would be compromised.

When electronic technologies are used, the need shall be established that such use is expressly for the purpose of monitoring the selected areas of the school environment when safety of students, staff or public property is at issue. The use of electronic technologies shall be subject to applicable state and federal laws pertaining to such use and shall comply with said laws protecting student rights, and with applicable constitutional safeguards.

File JLIIF-R Revised February 12, 2014

Use of Electronic Recording Equipment to Monitor Student Behavior

Use

1. Electronic recording equipment may be utilized on school premises, District property and on District vehicles for the purpose of promoting safety. The installation of interior electronic recording equipment will be on an as needed basis as determined by the Chief Operations Officer and the Security Manager.

2. The District shall notify its students and staff that electronic recording equipment may be in use on any school/District property or on any District vehicle. The District shall incorporate said notice in student handbooks, the transportation services discipline code pamphlet and the Code of Conduct and Discipline.

3. Clearly written signage will be displayed at facilities where electronic recording equipment is used and will include notice that electronic recording equipment may or may not be monitored at any time.

4. Staff and students are prohibited from unauthorized use, tampering with or otherwise interfering with electronic recording equipment and will be subject to appropriate disciplinary action for such violations. Disciplinary
action shall be consistent with District policies and procedures.
5. The building principal, authorized District administration and designated trained staff shall be the only personnel allowed to view recorded images. However, recorded images showing discipline, legal or policy violations, may be viewed by other appropriate District personnel or legal authorities. Recorded images can be saved by authorized personnel if saved within 7 days of the incident.
6. Recorded images may be copied for the purpose of evidence in a criminal investigation. A formal request by law enforcement and case number must accompany the request to the District Security Manager.
7. Electronic technologies shall not monitor areas where students, staff and the public have a reasonable expectation of privacy such as locker rooms and adult and student restrooms.

Use on School Property:
1. The use of electronic recording equipment on school property shall be supervised and controlled by the building principal/designee and the District Security Manager. The District Security Manager will also designate who operates the system and who monitors and maintains the recordings.
2. Electronic recording equipment may be installed on outside grounds at schools and buildings and in common areas inside the school as deemed necessary by the District and approved by the Superintendent. The Superintendent may approve the use of covert electronic recording equipment on an as needed basis. Electronic recording equipment shall not be located in any area in which the public has a reasonable expectation of privacy, i.e., restrooms, locker rooms, etc.
3. Electronic cameras may be in use 24 hours per day with signage to notify patrons who use the premises that electronic recording equipment is in use.
4. The District shall provide reasonable safeguards including but not limited to password, code and/or firewall protection and controlled physical access to the equipment or stored recordings to protect from unauthorized use.
5. When video monitors are used in schools, they shall be located in the administrative and/or security offices at the school.

Use in District Vehicles:
1. The use of electronic recording equipment on District vehicles shall be supervised by the Director of Transportation. The Director of Transportation will also designate who operates the system and who maintains the recordings.
2. Electronic recording equipment may be rotated on school vehicles transporting students to and from school and extracurricular activities at the discretion of the Director of Transportation.
3. A notice will be posted on all school buses that electronic recording equipment may be used for student management purposes.
4. When a District vehicle is equipped with electronic recording equipment, such equipment may or may not be actively recording and specific notice shall not be given other than the notice that the equipment is used.
5. The District shall establish and maintain reasonable safeguards to protect against unauthorized use of any electronic recording equipment.

Storage/Security/Chain of Custody
1. All electronic recordings will be stored and secured to insure confidentiality. Tapes or other storage devices that are not in use shall be locked in a secured storage area. Only authorized access shall be allowed and a log of all instances of access to and use of recorded materials shall be kept.
2. Electronic recordings shall be numbered, dated and stored for a maximum of 7 days after initial recording, whereupon such recordings may be released for rerecording or erasure unless otherwise directed by the COO, Security Manager or Director of Transportation. The storage method will be dependent upon the type of system installed, which may vary from school to school, and with the introduction of new technology.
3. Electronic recordings held for review of student incidents shall be maintained in their original form pending resolution of the issue. Tapes then will be released for erasure, copied for authorized law enforcement agencies or retained as a necessary part of the student’s behavior record in accordance with District policy referenced in Board Policy JRA.
4. All requests for copying a recorded image must be done through submitting a Chain of Custody Tracking Form to the Security Manager’s office. The Security Manager will track all requests and a Chain of Custody Log.

Viewing and Copying Requests
1. Law enforcement requesting a copy of a recorded image shall complete The Chain of Custody Tracking Form (JLIF-E) and submit to the Security Manager, or the Director of Transportation for transportation requests, for authorization of copying DVR footage. Authorization will be considered on a ‘need to know’ basis only.
2. Written requests for viewing will be limited to those whom the District determines have a need to see the tapes to substantiate evidence that has lead to a disciplinary and/or legal action.
3. Only a specific incident and/or related incident will be made available when a request for viewing is made and approved.

**Viewing**
1. Approved viewing will be permitted only at District facilities and supervised by the building principal/designee, the Security Manager or the Director of Transportation.
2. A written log will be maintained of those storing electronic recordings including the date of viewing, reasons for storing, date of the alleged incident, name of the viewer and when appropriate, District vehicle videotaped and name of the vehicle’s driver.
3. Electronic recordings will remain the property of the District and may be reproduced only in accordance with law and Board of Education policy.

**Student Records**
1. The District will comply with the requirements of federal and state laws and Board of Education policies regarding student records as applicable in the District’s use of electronic recordings.
2. Electronic recordings may be considered for retention as part of a student’s behavioral record and will be maintained in accordance with established procedures governing access, review and release.

**Training of Electronic Recording Equipment**
1. District employees who are responsible for the installation, maintenance and surveillance monitoring shall be required to attend a District-sponsored training on the use and legal requirements associated with electronic recording equipment.

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**Student Fees, Fines and Charges**

File: JQ Revised March 12, 2003

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

All student fees and charges shall be adopted by the Board. Any fees added must be submitted for approval prior to the fee being charged. The fees shall remain in place until modified or removed by Board resolution. All student fees adopted by the Board shall be used for the purposes set forth in the motion and shall not be spent for any other purpose.

When publicizing any information concerning any fee authorized to be collected by this policy, the school shall specify whether the fee is voluntary or mandatory or optional and the specific activity from which the student will be excluded if the fee is not paid. Fees attached to courses required for graduation may be waived upon request. Any optional fee not waived or not paid will exclude a student from that activity.

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File: JQ-R Revised December 11, 2013

**Student Fees, Fines and Charges**

**Fees For Use of Textbooks and Items Which Are School Property**

School property is often loaned to students. No fee will be assessed for this property. However, it is expected that students shall return school property to the school in good condition except for ordinary wear.

Students shall be assessed fines for lost or damaged school property. Specifically, in computing textbook or technology fines, replacement cost would be one hundred percent for books and devices one to three years old. Replacement cost in the fourth year, and each consecutive year, would be reduced by ten percent from the original cost, with minimum replacement cost being sixty percent of the original cost. Library books, materials, equipment, technology, and computer software lost or rendered unusable shall be charged at current replacement costs.

If the school district has made a reasonable effort to obtain payment for lost or damaged school property to no avail, the district may then withhold the diploma, transcript, or grades of any student who fails to return or replace such property at the end of the semester or school year. If a student is graduating, the District may deny the privilege of participation in the graduation ceremony if the student has failed to return or replace this property by the date of the ceremony. Alternative payment methods, such as installment plans or school service, shall apply to students who are unable to pay.

**Fees for Consumable Supplies and Materials**

Teachers shall select instructional activities for each course that are based on District standards. Students may be charged a fee for consumable supplies and materials used in the course. Fees attached to courses required for graduation may be waived upon request. Fees for consumable supplies and materials shall relate directly to
the actual cost of providing these materials to the individual student. When fees are used for supplies and materials, those items shall contribute to a project that becomes the property of the student. Fees shall correlate with a specific course in the school year for which they are collected. In addition, students may be required to pay for optional materials they select for class projects that are above the basic requirements for the course and are to be retained by the student.

**Miscellaneous Fees**

Students may be asked to pay miscellaneous fees as a condition of voluntary participation in or attendance at school-sponsored activities or programs not within the academic portion of the educational program. Miscellaneous fees may include, but not limited to, athletic participation fees, uniforms, performance attire, or school dances. Extracurricular, co-curricular activities and student organizations may collect fees to cover the cost of specific activities and/or events.

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

There shall be no admission charge for students for any program given at school during the school day. Students may be charged admission for programs and events held after school hours.

Student activity passes shall be available to all secondary students at a reasonable price to encourage school-wide participation in activities. The cost of activity passes shall be set at each school based on regular season league prices. Activity passes shall admit students to selected student activities. Activity passes shall not be transferable. CHSAA sponsored, post-season, playoff games do not allow the use of these activity passes. Post-season tickets are sold separately. Holding an activity ticket shall not entitle a student to an annual/yearbook.

**Participation Fees**

Students participating in athletic, intramural, cheerleading and forensic programs shall pay a participation fee. Any participation fee collected shall be used to fund the particular activity for which it is charge and not for any other purpose. The participation fee shall be paid prior to a student being involved in the activity. Fees may be waived if there is financial need. Participants who are cut or who quit an activity up to and including the 15th calendar day from their first day of practice shall be reimbursed the full amount of the fee. Requests for reimbursement shall be made no later than 25 calendar days after the beginning date.

A coach will not allow a student to participate in any practice or game without the signed form from the school office. This form shall act as receipt of fees.

Fees will be deposited by the recipient school; the deposit slip and receipt will be forwarded to the office of Financial Services no later than 30 days after the beginning of the athletic or forensics season. Fees will be deposited in a District-wide student activities account using current deposit procedures. Fees collected for cheerleading participation will be deposited in the school’s cheerleading activities account.

A listing of participants will be sent to the Director of Athletics and Activities listing names, amount of collections, waivers and reimbursements no later than 30 calendar days after the beginning of the season.

**Waiver of Fees**

Fees attached to courses required for graduation may be waived upon request. Any optional fee not waived or not paid will exclude a student from that activity. Students requiring financial assistance and/or who are eligible for free and reduced lunch (under federal guidelines) can request a waiver or scholarship through school administration. (Extreme hardship situations not meeting this minimum may be considered by the principal.) Notification of how a student may request a scholarship or access a waiver shall be published in course description books.

**Fee Schedule**

A complete list of student fees and their purposes shall be maintained by building principals and made available upon request. Parents shall be informed of the fee schedule or otherwise how to apply for a waiver of fees. Students qualifying for a fee waiver will receive it without unnecessary embarrassment or public exposure of their need.

A list of all fees will be submitted to the Board on an annual basis and coincide with the publication of course description books at each school. Prior to submission to the Board of Education, fee lists will be reviewed and
approved by building principals, program and level directors.

Notification of fees and what they purchase will be included in course description books. In addition, notification could be included in but not limited to: newsletters, summer letters, and course syllabi.

Students may be requested to bring specific, necessary supplies for their own use in the classroom. This list shall be prepared by the teacher, approved by the principal, and provided to the parent. Schools may not request students to bring supplies to the class to be “pooled” or for shared use by the other students. Items voluntarily shared would be considered a donation.

Fee Changes
Any changes to fees must be reviewed and approved by building principals, program directors and level directors and then approved by the Board. Approval shall be obtained prior to the fees being changed and charged.

Additional Program Fees
The Board may approve fees recommended by the Superintendent for programs offered during that period of the calendar year not embraced within the regular school year. Examples could include but are not limited to: continuation programs, part-time programs, evening programs, vocational programs, programs for aliens, community education programs, cultural, recreational, social and other “opportunity programs.”

File: JRA/JRC Revised February 8, 2012

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

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

Content and Custody of Records
The principal is the official custodian of student education records in his or her building.

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

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

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

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

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

Access to Student Education Records By Parents/Guardians and Eligible Students
A parent/guardian has the right to inspect and review their student's education records if the student is under 18 years of age. If a student is 18 years old or older ("eligible student"), the student may inspect or review his/her own education records and provide written consent for disclosure of such records and personally identifiable information therein. However, the parent/guardian also is entitled to access his/her child's education records, despite the lack of written consent from the eligible student, if an eligible student is a dependent for federal income tax purposes or the disclosure is in connection with a health or safety emergency. Access to student education records by parents or eligible students shall be in accordance with the regulation accompanying this policy.

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

**Disclosure With Written Consent**

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

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

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

All signed consent forms shall be retained by the District.

**Disclosure Without Written Consent**

The District will disclose student education records or personally identifiable information contained therein from student records without written consent of the parent/guardian or eligible student if the disclosure meets one of the following conditions:

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

9. The disclosure is to comply with a judicial order or lawful subpoena. Unless specified in the order of subpoena, the District shall make a reasonable effort to notify the parent or eligible student prior to complying with the order or subpoena.

10. The disclosure is of “directory information” as defined by this policy.

   Directory information may also be disclosed without written consent of the parent/guardian or eligible student. “Directory information” means information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information which may be released includes, but is not limited to, the student’s name, email address, photograph, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, grade level, enrollment agency or institution attended by the student, and other similar information. Directory information also includes a student identification number or other unique personal identities used by the student to access or communicate in electronic systems, but only if the identities cannot be used to gain access to student education records, except when in conjunction with one or more factors that authenticate the user's identity, such as a password known only by the authorized user.

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

   The parent/guardian or eligible student has the right 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 following Monday if September 7 is a Saturday or Sunday.

Disclosure of Disciplinary Information to School Personnel

In accordance with state law, the principal or designee shall communicate disciplinary information concerning any student enrolled in the school to any teacher who has direct contact with the student in the classroom and to any counselor who has direct contact with the student. Any teacher or counselor to whom disciplinary information is reported shall maintain the confidentiality of the information and shall not communicate it to any other person. State law requires the principal or designee to inform the student and the student's parent/guardian when disciplinary information is communicated and to provide a copy of the shared disciplinary information. The eligible student and/or the student’s parent/guardian may challenge the accuracy of such disciplinary information through the process outlined in this policy and accompanying regulation.

Disclosure to Military Recruiting Officers

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

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
- Include a consent form with the “start of school” information each fall

Disclosure to the Colorado Commission on Higher Education (CCHE)

On or before December 31 of each school year, the 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.

Publication of Student Photos on District/School Web Pages

Student pictures may not be published on District or school web pages without prior written parent/guardian or eligible student permission. Students’ last names shall not accompany pictures, except for senior high students. No other personal student information may be included on a page (address, phone number, email address, etc.). School staff are responsible for collecting and retaining all parent/guardian or eligible student photo permits.

Annual Notification of Rights

The District shall notify all parents/guardians or eligible students of their rights pursuant to this policy at the beginning of each academic year. This notice will be in the form provided in Board Regulation JRA/JRC-R.
A copy of this regulation will be included annually in the Code of Conduct and Discipline book given to each student and is available electronically on the District’s website. For notice to parents/guardians 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 (FERPA), this policy and accompanying regulation may be obtained from the office of the Superintendent during normal business hours.

Governing Law

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

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

File: JRA/JRC-R Revised April 9, 2014

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

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

1. **The right to inspect and review the student’s education records within three (3) days of the District receiving a request for access.**

   A parent/guardian or eligible student making such a request must submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal, upon receipt of the written request, will make arrangements for access and notify the parent/guardian or eligible student of the time and place where the records may be inspected. The student’s records shall be examined in the presence of the principal or designee.

   During inspection and review of student education records by a parent/guardian or eligible student and when requested by them, the principal shall provide personnel necessary to give explanations and interpretations of the records.

   The original 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/guardian or eligible student at a cost of no more than $2.00 per document for Immunization Records, Transcripts, Birth Certificate, Report Cards or Health Records, or no more than $10.00 per request for complete Cumulative Folder or IEP. There will be a $6.00 charge per Education/Graduation Verification. There will be a transaction fee of $4.00 associated with each request when paying with credit card.

2. **The right to request the amendment of the student’s education record that the parent/guardian or eligible student believes are inaccurate, misleading or otherwise violates the privacy rights of the student.**

   A parent/guardian 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. The request to amend a student’s education records must be made in writing within ten (10) school days of the date the records were first examined.

   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/guardian or eligible student by certified mail.
   
   b. The hearing will be conducted by a principal or higher administrative official as designated in writing by the Superintendent or designee. The official conducting the hearing shall not be the principal who made the initial decision nor shall it be anyone with a direct interest in the outcome of the hearing.
   
   c. Parents/guardians or the 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/guardian 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/guardians 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
District. If the student record is disclosed by the school to any other party, the explanation also shall be
disclosed to that party.

If the principal or higher administrative official, after consulting with any other person(s) having relevant
information, decides not to amend the record as requested, the principal will notify the parent/guardian 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/guardian
or eligible student when notified of the right to a hearing.

3. 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.

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

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

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

3.2 Without Consent

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

a. A school official within the District who has a specific legitimate educational interest in the education
record of the personally identifiable information contained therein. A school official has legitimate
education interest if disclosure to the official is:
  1. Necessary for that official to perform appropriate tasks that are specified in his or her position
description or by a contract agreement;
  2. Used within the context of official District business and not for purposes extraneous to the official’s
areas of responsibility;
  3. Relevant to the accomplishment of some task or to a determination about the student; and
  4. Consistent with the purposes for which the data are maintained.

A school official is a person employed by the District as an administrator, supervisor, instructor, 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, consultant or health care provider); 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 postsecondary institution that have requested the records
and in which the student seeks or intends to enroll. In this case, disciplinary information may be included.
The District will provide the parent/guardian or eligible student with a copy of the record 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 or the eligible student.

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 accrediting functions.

g. In emergency situations to appropriate persons if the information is necessary to protect the health and safety of the student or others.

h. Anyone if required by a court or subpoena. The District will make reasonable efforts to notify the parent/guardian 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.

i. A court presiding over a legal action initiated by the school district where the education records are relevant, or initiated by a parent/guardian or eligible student where the records are relevant for the school district’s defense.

j. Parents/guardians of students over 18 years of age that is dependent for federal income tax purposes. The school district may disclose group scholastic achievement data from which the individual cannot be identified without written consent of the parent/guardian 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/guardian or eligible student. Directory information means information contained in a students education record that would not generally be considered harmful or an invasion of privacy if disclosed. The parent/guardian 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, email address, photograph, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletics teams, dates of attendance, grade level, degrees, honors and awards received, the most recent and previous education agency 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 this section.

6. **The right to request that information not be provided 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 student submits a written request that such information not be released.

   **File:** KBBA Revised May 12, 2010

**Custodial and Noncustodial Parent Rights and Responsibilities**

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

If the rights of the noncustodial parent are restricted by a Colorado court order, the custodial parent shall provide the school with a certified copy of the currently effective court order curtailing these specific rights. Unless informed through the submission of such a court order, the District assumes there are no restrictions regarding a noncustodial parent’s rights, including the right to access the student’s educational records.
Education conferences with a noncustodial parent shall be permitted only upon the consent of the custodial parent. The student shall not be permitted to visit with or be released to anyone, including the noncustodial parent, without the approval of the custodial parent unless otherwise provided by court order.

Custodial and Noncustodial Parent Rights and Responsibilities
The following procedures have been developed for situations involving child custody, visitation and release of records.

1. The enrollment records of the District will include information regarding the marital status of a student’s parents. Status will be reviewed each year.
2. The school will flag the files of students whose parents are divorced or legally separated or have other special custody arrangements. The school will maintain a card file of these students that is easily accessible to the principal or designee.
3. If a person whom the principal does not recognize appears at school requesting the release of a student, the principal or designee will ask for identification such as a driver’s license.

Children of divorced/separated parents.
1. Both natural parents have the right to access the student’s educational records.
2. If a student’s parents are divorced, legally separated, or have other special custody arrangements, District personnel will request a copy of any and all legal documents pertaining to child custody, including restraining orders.
3. The District will presume that both parents have equal access to a child when that student is registered in school unless one parent provides the District with a currently effective Colorado court order indicating otherwise.
4. A copy of the court order governing a divorce, separation or delineation of parental rights may be provided by the custodial parent and kept in the student’s cumulative file as a temporary record.
5. If the school is aware that the student’s parents are divorced or separated and a parent refuses to provide a copy of the court order to the District, the principal will be advised and a statement of the refusal will be noted, including the date and situation. This statement will be filed in the student’s cumulative record. The District will provide access to the student’s educational records to both parents in this case.
6. A student will not be denied admission to school on the basis of refusing the request for documentation of a divorce, separation or delineation of parental rights.
7. A student will not be released to or visited by a noncustodial parent during the school day unless the custodial parent has provided written permission stipulating the time and date of the release or permission for visitation.
8. If a school official is in doubt about the validity of a request or documentation presented, the official will contact the Superintendent or designee. The official should request positive identification of any individual making a request for release or visitation of a student.
9. If a parent making a request for release or visitation refuses to leave the school premises at the principal’s request, the principal will contact the appropriate law enforcement agency.
10. Contact from an attorney on behalf of a parent may be referred to the school attorney on advice of the superintendent.

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

The Board believes that complaints and grievances are best handled and resolved as close to their origin as possible. Therefore, the proper channeling of complaints shall be as follows:

1. Teacher
2. Principal/supervisor
3. Appropriate director and/or assistant superintendent
4. Superintendent
5. Board of Education

Any complaint about school personnel always shall be reviewed by the superintendent before it is presented to the Board for consideration and action.
When a complaint is made directly to an individual Board member, the procedure outlined below shall be followed:

1. The Board member shall refer the person making the complaint to the appropriate supervisor or the Superintendent.
2. If the person will not personally present the complaint to the supervisor or Superintendent, the Board member shall then ask the individual to reduce the complaint to writing on Complaint Form KE/KEF-E. The Board member will then refer the complaint to the supervisor or Superintendent for investigation.
3. If at any time the person making the complaint feels that a satisfactory reply has not been received from a supervisor, that person should be advised to consult with the Superintendent and, if still not satisfied, to request that the complaint be heard by the Board of Education.

Every attempt shall be made to investigate any complaint received within 10 days of the receipt of the complaint.

File: KFA Revised September 9, 1998

Public Conduct on School Property

Persons using or upon school district property for any purpose shall not engage in:

1. Any conduct intended to obstruct, disrupt or interfere with teaching, research, service, administrative or disciplinary functions, or any activity sponsored or approved by the Board.
2. Physical abuse or threat of harm to any person or school district owned or controlled property at school district sponsored or supervised functions.
3. Threat or damage to property of the school district regardless of the location, or property of a member of the community or a visitor to the school when such property is located on school district controlled premises.
4. Forceful or unauthorized entry to or occupation of school facilities, including both buildings and grounds.
5. Unlawful use, possession, distribution or sale of drugs and other controlled substances, alcohol and other illegal contraband on school district property, at school sponsored functions, on any school bus transporting students or within 1,000 feet of the perimeter of the school grounds. Persons known to be under the influence of liquor shall not be permitted to enter the school building or grounds.
6. Use of tobacco.
7. Unlawful possession of a deadly weapon, as defined in state law, on school property or in school buildings unless the person falls within one of the exceptions in state law for possession of a deadly weapon including that the person:
   a. has legal authority to carry or possess a deadly weapon.
   b. is presenting an authorized public demonstration for the school or an organized class.
   c. is carrying out duties for the school district which require the use of a deadly weapon.
   d. is participating in an authorized extracurricular activity or team involving the use of firearms.
   e. has possession of the weapon for use in an approved educational program which includes but is not limited to any course designed for the repair and maintenance of weapons.
   f. is a peace officer on duty.

Any member of the general public considered by the superintendent or his designee to be in violation of this policy shall be instructed to leave the property of the school district.

File: KI Revised February 8, 2012

Visitors to Schools

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

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

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

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

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

Visiting schools is a privilege, not a right, which may be limited, denied or revoked by a school administrator or
designee based on considerations of student and/or staff safety, efficient school operations, maintenance of a
proper educational environment, or failure to comply with this policy.
Your signature indicates you have received, read, and understand the Behavioral Code of Conduct and Board of Education Policies; Rights and Responsibilities of Students and Parents; Annual Notifications to Parents/Guardians book.

Student’s Name ____________________________________________

__________________________________________________________

Parent/Guardian ___________________________ Date

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