



# **STUDENT AND FAMILY RIGHTS AND RESPONSIBILITIES HANDBOOK**

## **2022-2023 SCHOOL YEAR**

The District is mandated by law to provide each student the availability to view School District policies. Current policies are posted on the School District website at [www.wpsdk12.org](http://www.wpsdk12.org).

Policies are subject to change without notice and kept up to date on our website. The District encourages parents and students to read and become familiar with these district policies, rules, and regulations.

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Dear Parents and Families,

On behalf of Woodland Park School District, we welcome you and your children to the 2022-23 school year. We know we can best serve all students equally well when establishing strong working relationships with parents. The 2022-23 Student and Family Rights and Responsibilities Handbook explains expectations for student behavior and adult responses to enhance school safety and create a fair, equitable, and supportive school environment. We believe that students learn best when expectations for behavior are clear, consistent, and fair; are age-appropriate, and build on strong student-teacher relationships. Each of our schools shares the common goal of providing an engaging and relevant learning experience to the students and families of Teller County. Together, we commit to this goal as we strive to make the Woodland Park School District a shining star in Colorado public education.

Educating, inspiring and empowering, and creating a safe and welcoming learning environment for each student requires the partnership of families and community members. Keeping students at the heart of our actions and decisions is a deeply held core value for the District. Together, we strive to model this for our students each and every day. Collaboration with parents is essential to reaching this vision. Therefore, we ask that you use this document as a framework for discussing these expectations with your child so that they are well prepared for success when the 2022-23 school year begins. Thank you for working with us to create an environment where everyone is treated with respect, is encouraged to help others, and is free to learn and explore new ideas. Please contact your child’s teacher or principal should you have questions about this document or if we can be of assistance to you.

Sincerely,

*Tina Cassens & Del Garrick, WPSD Co-Interim Superintendents*

#### TELEPHONE NUMBERS

Columbine Elementary	686-2300	District Administration	686-2000
Gateway Elementary	686-2051	Business Services	686-2000
Summit Elementary	686-2401	Board of Education	686-2012
Middle School	686-2200	Chartwells Food Services	686-2036
High School	686-2067	Durham School Bus Services	687-4411
		Mental Health Supervisor	686-2000
		Safety & Security	686-2000
		Title IX Coordinator	686-2000
		Ute Pass BOCES	685-2640

#### COMMUNICATION PROCESS

All students, regardless of grade or school, receive a **mentor teacher** that serves as an advocate and direct line of contact for students and families. The District encourages students and families to partner with this mentor teacher to meet their child's needs. For communication outside the realm of a mentor teacher, the District encourages parties to address concerns and questions at the level closest to the origin of the concern (i.e., classroom concerns handled with a classroom teacher). A general chain of communication follows the general flow outlined below:

1. Contact the teacher, counselor, or staff member directly involved regarding an individual student, curriculum, or policy issue. For situations involving bus service, contact Durham School Services at 719-687-4411. For situations involving food service, contact Chartwells Management at 719-686-2036.  
\*Note: Personnel issues need to be referred to a Building Administrator or District Administrator, whichever is appropriate.
2. If not resolved at the previous level, the person should contact the Building Administrator. This includes follow-up concerns or questions with bus and/or food service.
3. If not resolved at the previous level, the person should contact the appropriate District Administrator by calling 719-686-2000.

4. The person should contact the School Board if not resolved at the previous level.

### **OPT-IN, OPT-OUT, & EXEMPTION RIGHTS**

#### **Opt-In, Opt-Out, and Exemption Procedures:**

Woodland Park School District has developed opt-in, opt-out, and exemption procedures for various situations to accommodate parents' rights to be involved in the education of their children. Parents can expect consistent standards in all district schools for opting-in, opting-out, or requesting an exemption from specific programs, events, or activities identified in the referenced policies.

Students will not intentionally be made to feel different, nor will parents choosing to exercise their right to opt-in, opt-out, or request exemption be criticized for their decision. Woodland Park School District places high value on maintaining strong partnerships with parents in monitoring the use of potentially controversial instructional materials in the classrooms.

#### **Definitions:**

"Opt-in" means the school/district must get express written permission from a parent for a student to participate in a program, event, or activity. Current required opt-in programs include sex education and field trip participation.

"Opt-out" means the school/district may assume parent consent if the parent does not utilize the opt-out procedure of notifying a teacher or the school principal after notice is given of a program, event, or activity. Notice includes course syllabi outlining learning objectives for specific classes, teacher and school notifications, and team and school newsletters.

"Exemption" means a parent may request to exclude a student from participation and specified content of a program, event, or activity.

#### **Specific Policy Information:**

##### **Summary of Relevant Administrative Policies**

The following administrative policies relate to parents' right to opt-in, opt-out, or seek exemption from particular instruction or activities for their students.

**Policy IHAM, Health, and Sex Education.** This policy provides an overview of the purpose of Health and Sex Education and outlines the overall process for curriculum adoption and parent preview. It further states protocols for parental notification of instructional topics and rights for parents to direct the instruction for their child. For sex education, parents must sign an opt-in form for their child to participate in the program. As to general health instruction, parents may exercise the right to request an exemption for their child based on the grounds that portions of the instruction are contrary to religious beliefs and teachings or closely held personal beliefs of the student or the student's parent/guardian. Such requests must be made in writing to the school principal.

**Policy IJOA, Field Trips.** This policy outlines the purpose and benefit of off-campus field trips for student learning. All field trips require the expressed permission, or opt-in, by a parent/guardian.

**Policy IMB, Teaching About Controversial Issues and Use of Controversial Materials.** This policy defines what constitutes a controversial issue or material and describes when and how these should be used in the classroom, noting that teachers will obtain approval from the school principal before using controversial materials, not in the District's approved resources. It further states that teachers will contact the principal if there are questions regarding whether an issue or resource is controversial as described in the policy. The principal may ask the teacher to notify parents about upcoming class discussions and the use of specific materials and obtain parents' permission (i.e., opt-in or opt-out) before such discussion. Alternative learning activities can be provided when feasible and upon request, when controversial issues or materials are used as part of the instruction program. If disagreements arise concerning controversial issues or materials, Board Policies KEC (Public Concerns/Complaints About Instructional Resources) and KEF (Public Concerns/Complaints About Teaching Methods, Activities, or Presentations) may be used to appeal school decisions.

**Policy IMB-R, Criteria for the Teaching About Controversial Issues and Use of Controversial Materials.** This regulation provides an interpretation of Policy IMB by defining in greater detail the responsibilities of Students, Teachers, Administration, and Parents/Guardians regarding teaching about controversial issues. Specific language speaks to the expectation that teachers provide information for students and parents/guardians on topics taught within the classroom. At a minimum, course topics shall be shared through a semester syllabus distributed electronically to students and parents/guardians at the start of each semester at the secondary level and the start of each quarter at the elementary level. It further defines that parents/guardians may inform the teacher in writing of their desire to request an alternative learning experience for their students for given topics.

**Policy IMBB, Exemptions From Required Instruction.** This policy states that if the religious or closely held personal beliefs and teachings of a student or the student's parent/guardian are contrary to the content of a school subject or to any part of a school activity, the student may be exempt from participation. To receive such an exemption, the parent/guardian must present a written request for exemption to the school principal, stating the conflict involved. Note that exemptions from required instruction do not excuse a student from the District's requirements for graduation from high school. In such cases, an alternative equivalent option to demonstrate learning will be provided for the student.

**Policy JRA/JRC, Student Records/Release of Information on Students.** This policy defines categories of student records, outlines parental rights to educational records, and details various disclosure clauses required by law or policy. Conditions outlined for disclosures without written consent include the following major categories: school officials with legitimate educational interest; officials of another school, school system, or postsecondary institution that has requested records and in which the student seeks or intends to enroll or has enrolled; local, state, and federal governmental agencies as defined by law; state and local officials in matters concerning the juvenile justice system; connection to a health/safety emergency; compliance with a judicial order or lawful subpoena; or cases in which a student is enrolled in the Colorado Medicaid program. This policy also addresses the disclosure of directory information, referring to information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information that may be released includes but is not limited to the student's name, photograph, major field of study, participation in officially recognized sports and activities, height and weight of members of athletic teams, dates of attendance, grade level, enrollment status, degrees, honors and awards received, the most recent previous educational agency or institution attended by the student, and other similar information. The parent or eligible student has the right to refuse to permit the designation of any or all of the categories of directory information by submitting this request in writing to the school's principal. For additional details, reference the full text of the policy.

**Publication of Student Name, Photograph, and/or Work.** During the school year, students may have the opportunity to have their name, photograph(s), and/or schoolwork published in the District, school, and/or local news publications, and/or displayed on the District/school signboard or website(s). Publishing or displaying a student's name, photograph, and school work, permits parents/guardians, along with other friends or relatives of the child, to view their accomplishments and highlights the school's educational mission. However, we recognize that not all parents or guardians may wish to have a photograph of their child or personally identifiable information about their child published in newsletters/newspapers or posted on the signboard or Internet. We, therefore, request that parents/guardians file a Student Publication Opt-Out form notifying the District/school of your desire not to have your child's identifiable information published. Questions regarding student publication should be directed to building administration. The form is available at each building.

**Policy KE/KE-R, Public Concerns/Complaints;**

**Policy KEC/KEC-E, Public Concerns/Complaints About Instructional Resources;**

**Policy KEF, Public Concerns/Complaints About Teaching Methods, Activities, or Presentation.** These policies outline procedures, timelines, and appeal processes for public concerns and complaints. As a general rule, the District encourages parties to address concerns and questions at the level closest to the origin of the concern (i.e., classroom concerns handled with a classroom teacher). Reference specific policies for details.

## **INCLEMENT WEATHER PROCEDURES FOR PARENTS**

Every effort is made to determine the best and safest decision on canceling or not canceling school because of adverse weather. Please take the time to read the information on emergency closing below. Taking the time to acquaint ourselves with the policy's procedures will assure our children's safety.

### **Delays and Cancellations:**

Adverse weather or other emergencies may necessitate a delayed opening, early dismissal, or school cancellation. If such a decision is made, the district's messenger system will be activated, and area radio and television stations will be notified. ***Parents may also call the main number, (719)686-2000, for closing information or consult our district website at [www.wpsdk12.org](http://www.wpsdk12.org) and look at the 'District Operational Status' at the top right of the page.***

Transportation to off-campus facilities, non-school activities, night, community, and adult education activities are canceled when school is canceled or suspended early. Athletic and special school events may be held if weather conditions have improved sufficiently. Announcements will be made over radio and television stations.

The following radio and television stations broadcast notices of school closing: Radio: KRDO, 1240AM; KILO, 94.3FM; KSPZ, 92.9FM; KKMKG, 98.9FM; CS102, 1460AM and 101.9 FM; KKFM, 98.1FM; KCMN, 1530AM; KUUU, 99.9FM; KKLI, 106.3FM; KYGO 98.5FM; KCBR, 1040AM; KSKX, 105.5FM, KRCC, 91.5FM, and KVOR, 740AM. Television: KRDO, Channel 13; KKTU, Channel 11; KOAA, Channel 5. Denver stations: KOA, Radio 850AM; KCNC TV, Channel 4; KUSA 9News.

### **Emergency Closing Procedures:**

**School Cancellation** - Decisions to cancel school will be made by 6:00 am. Staff and parents will be notified via the district messenger system. Additionally, notifications will appear on the school website and local radio and television stations. The main district and school voice message will also convey information on school closure.

**Two-Hour Delayed Start** - If adverse weather conditions appear to be developing, the start of school may be delayed for two hours. Decisions to delay school will follow the same notification schedule and dissemination as outlined above. The final decision on whether schools will be open or closed for the day will be made before 8:00 am. If the decision is to open schools, the two-hour delayed start will be honored, and no additional announcement will be made. If the decision is to cancel schools, the district will follow the outlined notification system.

Please be advised that the purpose of the two-hour delay is to determine if school will close for the remainder of the day. Students cannot be dropped off at school until it has been determined that school will remain open. In the event of a two-hour delay, morning Early Childhood Programs and transportation to off-campus facilities will be canceled for Woodland Park Re-2 students.

**Early Release** - During the school day, if hazardous conditions develop, a decision may be made to dismiss students early. An early release decision will be communicated via the outlined notification system. Additionally, schools will attempt to reach all elementary and middle school parents to confirm plans for students. Additionally, when the early release results from inclement weather, elementary-level students will not be released from the bus unless an adult is at the bus stop to pick up the student. Any student not claimed by an adult at a bus stop shall be returned to school to await pickup by parents/guardians or an appropriately designated adult. Parents should make previous arrangements for their child if there is no one at home on early release days. Designation of a responsible adult for early release shall be made at the time of student enrollment.

**Parent Judgment** - The absence of a publicized decision should be interpreted as a decision to have school. School will be held if possible once the school day has started. Every effort will be made to complete the day. **However, parents should use their judgment in sending their children to school and picking them up early when severe weather conditions exist.** If a parent judges that the weather is too hazardous to send their child to school, that child should be kept at home. The school should be notified according to the usual absence reporting protocol. Additionally, if a

parent chooses to pick-up their child early due to hazardous conditions, the school will release their child following established pick-up procedures. These attendance events will be coded as weather-related excusals.

Parents also need to consider individual circumstances such as walking distance to the bus or school, bus shelter, size, age, and condition of child, clothing, etc. Parents and staff should insist that students dress appropriately. Staff will contact parents when students are not dressed appropriately. Also, safety skills needed during bad weather should be reviewed frequently.

**Bus Route Modifications:** On occasion, school will be held, but some bus routes may be modified because those buses anticipate hazardous conditions, while others may not. Routes commonly affected are Sherwood Forest and Tranquil Acres. If a child is scheduled on a route that has been canceled, the parent may bring the child to school in a private vehicle providing the student is taken home by the same method. A bus route canceled in the morning will not be run in the afternoon. The District will communicate bus route notifications via the district messenger system. Additionally, these changes will be posted on the District website.

**DISCLAIMER: POLICIES ARE SUBJECT TO CHANGE DUE TO FEDERAL AND/OR STATE LAW REVISIONS.**  
**PLEASE CHECK DISTRICT ONLINE POLICY SEARCH FOR MOST UP TO DATE POLICIES.**

### **NONDISCRIMINATION/EQUAL OPPORTUNITY**

#### Policy AC

The District is committed to providing a safe learning and work environment where all members of the school community are treated with dignity and respect. The schools in the District are subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry or need for special education services. Accordingly, no otherwise qualified student, employee, applicant for employment, or member of the public may be excluded from participation in, be denied the benefits of, or be subjected to unlawful discrimination under any District program or activity on the basis of disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry, or need for special education services. Discrimination against employees and applicants for employment based on age, genetic information, and conditions related to pregnancy or childbirth is also prohibited in accordance with state and/or federal law.

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

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

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

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

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

#### **Annual Notice**

The District will issue a written notice prior to the beginning of each school year that advises students, parents, employees, and the general public that the educational programs, activities, and employment opportunities offered by the District are offered without regard to disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry, or need for special education services. With respect to employment practices, the District will also issue written notice that it does not discriminate on the basis of age, genetic information, or conditions related to pregnancy or childbirth. The announcement will also include the name, address, e-mail address, and telephone number of the person(s) designated to coordinate Title IX, Section 504, and ADA compliance activities.

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

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

#### **Harassment is Prohibited**

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

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

**Reporting Unlawful Discrimination and Harassment**

Any student who believes they have been a target of unlawful discrimination or harassment, as defined in this policy and supporting regulations, or who has witnessed such unlawful discrimination or harassment, is encouraged to immediately report it to an administrator, counselor, teacher, or the District's compliance officer and file a complaint as set forth in the regulation which accompanies this policy.

Any applicant for employment, or member of the public who believes they have been a target of unlawful discrimination or harassment, or who has witnessed such unlawful discrimination or harassment, is encouraged to immediately file a complaint with either an immediate supervisor or the District's compliance officer.

Any employee who believes they have been a target of unlawful discrimination or harassment is encouraged to immediately file a complaint with either an immediate supervisor or the district's compliance officer, and any employee who has witnessed such unlawful discrimination or harassment must immediately file a complaint with either an immediate supervisor or the district's compliance officer.

If the individual alleged to have engaged in prohibited conduct is the person designated as the compliance officer, the complaint shall be made to the superintendent who will designate an alternate compliance officer to investigate the matter.

**District Action**

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

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

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

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

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

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

**Notice and Training**

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

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

- awareness of groups protected under state and federal law and/or targeted groups;
- how to recognize and react to unlawful discrimination and harassment; and
- proven harassment prevention strategies.

**NONDISCRIMINATION/EQUAL OPPORTUNITY**

Policy AC-E\*

In compliance with Title 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 American with Disabilities Act, the Genetic Information Nondiscrimination Act of 2008, and Colorado Law, the Woodland Park School District Re-2 does not unlawfully discriminate against otherwise qualified students, employees, applicants for employment, or members of the public on the basis of disability, race, creed, color, sex, sexual orientation, marital status, national origin, ancestry, or need for special education services. Discrimination against employees and applicants for employment based on age, genetic information, and conditions related to pregnancy or childbirth; is also prohibited in accordance with state and/or federal law.

Complaint procedures have been established for students, parents, employees, and members of the public. The following person(s) have been identified as the compliance officer for the District.

The following individual has been named as the  
Title IX Coordinator  
for Woodland Park School District Re-2:  
  
Mr. Del Garrick, Director of Human Resources  
P. O. Box 99  
Woodland Park, Colorado 80866  
(719) 686-2000  
dgarrick@wpsdk12.org

Complaints regarding violations of Title VI, (race, national origin), Title IX (sex, gender), Section 504/ADA (handicap or disability), may be filed directly with the Office for Civil Rights, U.S. Department of Education, 1244 North Speer Boulevard, Suite 310, Denver, Colorado 80204. Complaints regarding violations of Title VII (employment) and the ADEA (prohibiting age discrimination in employment) may be filed directly with the Federal Office of Equal Employment Opportunity Commission, 303 E 17<sup>th</sup> Ave., Suite 510, Denver, CO 80202, or the Colorado Civil Rights Commission, 1560 Broadway, Suite 1050, Denver, CO 80202.

**NONDISCRIMINATION/EQUAL OPPORTUNITY**

**(Complaint and Compliance Process)**

Policy AC-R-1

The District is committed to providing a safe learning and work environment that is free from unlawful discrimination and harassment. The District must promptly respond to concerns and complaints of unlawful discrimination and/or harassment; take action in response when unlawful discrimination and/or harassment is discovered; impose appropriate sanctions on offenders in a case-by-case manner; and protect the privacy of all those involved in unlawful

discrimination and/or harassment complaints as required by state and federal law. When appropriate, the complaint will be referred to law enforcement for investigation.

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

### **Definitions**

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

### **Compliance Officer’s Duties**

The compliance officer is responsible for conducting an investigation and coordinating all complaint procedures and processes for any alleged violation of federal or state statute or District policy prohibiting unlawful discrimination or harassment.

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

### **Complaint Procedure**

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

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

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

The compliance officer must confer with the aggrieved individual and/or the alleged target of the unlawful discrimination or harassment as soon as is reasonably possible, but no later than 14 calendar days following the compliance officer’s receipt of the complaint in order to obtain a clear understanding of the basis of the complaint.

Within 14 calendar days following the initial meeting with the aggrieved individual and/or alleged target, the compliance officer must attempt to meet with the individual alleged to have engaged in the prohibited conduct and, if this individual is a student, their parents/guardians in order to obtain a response to the complaint. Such person(s) must be informed of all allegations that, in the compliance officer’s judgment, are necessary to achieve a full and accurate disclosure of material information or to otherwise resolve the complaint.

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

### **Informal Action**

If the aggrieved individual and/or the individual alleged to have engaged in the prohibited conduct requests that the matter be resolved in an informal manner and/or the compliance officer believes that the matter is suitable to such resolution, the compliance officer may attempt to resolve the matter informally through mediation, counseling, or other non-disciplinary means. If both parties feel a resolution has been achieved through the informal process, then no further compliance action must be taken. No party may be compelled to resolve a complaint of unlawful discrimination or harassment informally and either party may request an end to an informal process at any time. Informal resolution may not be used to process complaints against a district employee and may not be used between students where the underlying offense involves sexual assault or other acts of violence.

### **Formal Action**

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

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

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

- a. the degree to which the conduct affected one or more student's education or one or more employee's work environment;
- b. the type, frequency, and duration of the conduct;

- c. the identity of and relationship between the individual alleged to have engaged in the prohibited conduct and the aggrieved individual and/or alleged target;
- d. the number of individuals alleged to have engaged in the prohibited conduct and number of targets of the prohibited conduct;
- e. the ages of the individual alleged to have engaged in the prohibited conduct and the aggrieved individual and/or alleged target;
- f. the size of the school, location of the incident, and context in which it occurred; and
- g. other incidents at the school.

The compliance officer must prepare a written report containing findings and recommendations, as appropriate, and submit the report to the superintendent within 14 calendar days following the compliance officer's receipt of the complaint or 14 calendar days following the termination of the informal resolution process.

The compliance officer's report must be advisory and must not bind the superintendent or the District to any particular course of action or remedial measure. Within 14 calendar days after receiving the compliance officer's findings and recommendations, the superintendent or designee must determine any sanctions or other actions deemed appropriate.

To the extent permitted by federal and state law, all parties, including the parents/guardians of all students involved, must be notified in writing of the final outcome of the investigation and all steps taken by the District within 14 calendar days following the superintendent's determination.

#### **Hearing Procedure**

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

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

Within 14 calendar days after the hearing, the hearing officer must issue a written decision based upon evidence presented at the administrative hearing, including any remedial or corrective action deemed appropriate. Remedial actions include measures designed to stop the unlawful discrimination or harassment, correct its negative impact on the affected individual, ensure that the conduct does not recur, and restore lost educational opportunities.

After the hearing officer has issued the decision, the recording of the hearing, all physical and documentary evidence, and all other items comprising the record of the hearing must be returned to the District.

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

Nothing contained herein may be interpreted to confer upon any person the right to a hearing independent of a District policy, administrative procedure, statute, rule, regulation, or agreement expressly conferring such right. This process applies, unless the context otherwise requires and unless the requirements of another policy, procedure,

statute, rule, regulation, or agreement expressly contradicts with this process, in which event the terms of the contrary policy, procedure, law, rule, regulation or agreement will govern.

### Outside Agencies

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

Denver Office for Civil Rights (OCR), U.S. Department of Education, 1244 Speer Blvd., Suite 310, Denver, CO 80204-3582. Telephone: 303-844-5695. Fax: 303-844-4303. TTY: 303-844- 3417.  
Email: OCR .Denver @ed.gov

Federal Office of Equal Employment Opportunity Commission (EEOC), 303 E. 17th Avenue, Suite 410, Denver, CO 80203. Telephone: 800-669-4000. Fax: 303-866-1085. TTY: 800-669-6820. Email: ASL Video Phone: 844-234-5122.  
Website: <https://publicportal.eeoc.gov/eas/portal/>

Colorado Civil Rights Division (CCRD), 1560 Broadway, Suite 825, Denver, CO 80202. Telephone: 303-894-2997 or 800-886-7675. Fax: 303-894-7830. Email: DORA\_CCRD@state.co.us (general inquiries), DORA\_CCRDIntake@state.co.us (intake unit).

## SEXUAL HARASSMENT INVESTIGATION PROCEDURES

### (Title IX)

#### Policy AC-R-2

The District is committed to maintaining a learning environment that is free from sex-based discrimination, including sexual harassment. It is a violation of policy for any staff member to harass students or for students to harass other students through conduct or communications of a sexual nature, or to retaliate against anyone that reports sex-based discrimination or harassment or participates in a harassment investigation.

### Definitions

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

- **“Complainant”** means an individual who is alleged to be the target of conduct that could constitute sex-based discrimination or sexual harassment.
- **“Decision Maker”** means an individual(s) who assess the relevant evidence, including party and witness credibility, to decide if the District has met the burden of proof showing the respondent to be responsible for the alleged sexual harassment. The decision maker may not be the Title IX Coordinator or the investigator. The District’s decision maker is Superintendent of Schools, Mr. Steve Woolf.
- **“Education Program or Activity”** means locations, events, or circumstances over which the District exercises substantial control over both the complainant and respondent and the context in which the sexual harassment occurs.
- **“Investigator”** means an individual trained to objectively evaluate the credibility of parties and witnesses, synthesize all available evidence – including both inculpatory and exculpatory evidence – and take into account the unique and complex circumstances of each situation. The investigator may be the Title IX Coordinator, but cannot be the decision maker.
- **“Respondent”** means an individual who has been reported to be the perpetrator of conduct that could constitute sex-based discrimination or sexual harassment.

- **“Sexual Harassment”** means conduct on the basis of sex that satisfies one or more of the following:
  1. A district employee conditioning education benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
  2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
  3. Sexual assault, dating violence, domestic violence, or stalking.
- **“Supportive Measures”** mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, without fee or charge, to the complainant or respondent, before or after the filing of a formal complaint or where no formal complaint has been filed.
- **“Title IX Coordinator”** means the employee designated by a recipient to coordinate its efforts to comply with Title IX responsibilities. The District's Title IX Coordinator is Director of Human Resources, Mr. Del Garrick, [dgarrick@wpsdk12.org](mailto:dgarrick@wpsdk12.org), 719-686-2000.

### **Filing a complaint**

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

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

### **Investigation**

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

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

- The investigator must apply the “presumption of innocence” standard during the course of the investigation.
- The investigator must adhere to all timeframes. If a timeframe cannot be met, the investigator will notify the complainant, respondent, and decision maker.
- The investigator will protect the complainant from inappropriate questions and evidence about the complainant's prior sexual history.
- The investigator must provide written notice of the allegations to the parties involved.
- The investigation may also include, but is not limited to, the following:

- Implementation of supportive measures for both the complainant and the respondent;
  - A request for the complainant to provide a written statement regarding the nature of the complaint;
  - A request for respondent to provide a written statement;
  - A request for witnesses identified during the course of the investigation to provide a written statement;
  - Interviews of the complainant, respondent, or witnesses; and
  - Review and collection of documentation or information deemed relevant to the investigation.
- Within a reasonably prompt timeframe, the investigator must issue a report to the decision maker. After finalizing the report, the investigator will provide a copy to the complainant and respondent and will wait ten days prior to providing the report to the decision. The investigator's report must be advisory and must not bind the decision maker to any particular course of action or remedial measure.

### **Decision**

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

### **Appeal**

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

### **Notice and training**

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

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

## **TOBACCO-FREE SCHOOLS**

### Policy ADC

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

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

For purposes of this policy, the following definitions apply:

1. "School property" means all property owned, leased, rented or otherwise used or contracted for by a school including, but not limited to the following:
  - a. All indoor facilities and interior portions of any building or other structure used for students or children under the age of 21 for instruction, educational or library services, routine health care, daycare, or early childhood

development services, as well as for administration, support services, maintenance, or storage. The term does not apply to buildings used primarily as residences, i.e., teacherages.

- b. All school grounds over which the school exercises control including areas, surrounding any building, playgrounds, athletic fields, recreation areas and parking areas.
- c. All vehicles used by the District for transporting students, staff, visitors, or other persons.
- d. At a school-sanctioned activity or event.

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, chewing tobacco, or liquid nicotine/e-liquids; and
- b. Any electronic device that can be used to deliver nicotine to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo, or pipe;
- c. "Tobacco product" does not include any product that has been approved by the appropriate federal agency as a tobacco use cessation product.

3. "Use" means lighting, chewing, smoking, ingesting, inhaling, vaping, or application of any tobacco product.

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

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

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

### **SCHOOL CLOSINGS AND CANCELLATIONS**

#### Policy EBCE

The superintendent, or their designee, is empowered to close the schools or to dismiss them early in the event of hazardous weather or other emergencies which threaten the safety, health or welfare of students or staff members. The superintendent will weigh the extent of the hazard against the loss of instructional time for the students. School will be held if possible. However, students and personnel should not be subjected to undue exposure to health or safety hazards.

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

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

It is expected that parents will use their judgment for sending students to school during inclement weather and that parents will see that students are dressed warmly upon leaving home.

E-Learning Days for Secondary Students on Cancelled school days: The secondary schools may choose to activate and E-Learning day during a cancelled student contact day. An E-Learning day is when students will not be in school but will be expected to complete assigned course work prior to the next scheduled school day. While the District recognizes that classroom instruction with a teacher is preferable, E-Learning days allow classes to remain on schedule and minimize calendar disruptions as the year progresses.

Woodland Park Middle School and Woodland Park High School will develop procedures identifying how and when students will access assignments, request teacher assistance, submit assignments, and provide accommodations for students unable to access the Internet. These procedures will be posted in their student handbook and on their school website.

On days of school closings due to inclement weather, all custodial staff shall arrive at work as early as possible in order to complete snow removal and other tasks which require additional effort due to the storm. Upon completion of the extra work, the shift hours will be used for catch up maintenance and cleanup.

On days of "no school" due to inclement weather, it is necessary that all day custodial staff arrive at work as early as possible in order to complete snow removal and other tasks which require additional effort due to the storm. Second and third shift custodians will have the option of reporting to work early or reporting at their regular shift time. Upon completion of the extra work, the shift hours will be used for catch-up maintenance and cleanup.

Custodial staff will not be excused from duty on "no school", delayed start, and "early release" days. If a custodian does not report, he/she is not be paid for that day. Those custodians who do report will receive equal additional hours added to their vacation.

All classified employees, excluding custodial staff, will receive pay for a snow day, but may need to report to or remain at the building if required by building principal, supervisor or superintendent.

If any employee is on a pre-approved leave (Maternity, Parental, Emergency Medical Leave of Absence, Federally Mandated Family Leave, Sick Leave Bank or Military), the snow/inclement weather day does not change the prior request or allow additional days to be added to the employee's time.

### **VIDEO CAMERAS ON TRANSPORTATION VEHICLES**

#### Policy EEAEF\*

The District recognizes its continuing responsibility to maintain and improve discipline and to take reasonable steps to ensure the health, welfare, and safety of its staff and students on school transportation vehicles.

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

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

Students in violation of bus conduct rules shall be subject to disciplinary action in accordance with established district policies and regulations governing student conduct and discipline.

The district shall comply with all applicable state and federal laws related to video recordings when such recordings are considered for retention as part of the student's behavioral record as determined by the district and in accordance with law.

Video surveillance shall be used only to promote the order, safety, and security of students, staff, and property.

The superintendent has developed regulations governing the use of video cameras in accordance with the provisions of law and established district policies and regulations.

### **STUDENT TRANSPORTATION IN PRIVATE VEHICLES**

#### Policy EEAG

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

Special permission shall be granted by the superintendent to school administrators, school nurses, and other student services personnel designated by the superintendent.

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

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

### **SCHOOL MEAL PAYMENTS**

#### Policy EF-E-1

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

#### **Student Meal Accounts and Meal Charges**

Student meal accounts shall be established by the District.

Parents will be encouraged to pre-pay for students paying full or reduced price for meals. The District shall ensure that parents have access to at least one no-cost method of paying for meal services, such as the ability to pay in person. At the time funds are distributed into student accounts, parents will be permitted to limit the amount of funds that a student may use daily, including for á la carte purchases.

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

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

A meal account with a positive balance remains with the student until the student is no longer enrolled in the District. Students with unused credit in their accounts at the point of disenrollment or graduation may request to receive a refund in the amount of the credit.

#### **Notification of Low or Negative Balances**

Notification of a low or negative balance on a student account will be provided by the District's Business Services Department and/or Dining Services Department. Representatives from individual schools may communicate to students and parents regarding delinquent debts as well. The District will send invoices and notifications by mail for any account that has a balance of less than \$10 or is negative. Upon notification of a negative balance, payment is expected within 15 days of the notice. A negative balance will be considered delinquent after 30 days and the District will commence collection efforts at that time. Parents and students may monitor balances at their convenience with online access to each student's Infinite Campus account.

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

#### **Collection of Meal Charge Debt**

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

For students with delinquent meal charges, the following process will be used to collect debt: Collection efforts will include invoices and mailed reminders to parents. Additionally, emails to parents and phone calls from the District auto-dialer, Business Services Director, Dining Services Director, and school principals may be used to collect unpaid balances. The District may escalate collection efforts to contracted collection service providers for debts that exceed \$100 and are over 90 days delinquent.

Collection efforts from one school year may continue into the following school year, including when students transfer to a school outside of the District.

#### **Annual Notice**

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

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

### **CIVIL RIGHTS COMPLAINT PROCEDURE FOR SCHOOL NUTRITION PROGRAM**

#### **Policy EF-E-2**

In accordance with the United States Department of Agriculture (USDA) civil rights regulations and policies, the District is prohibited from discriminating on the basis of race, color, national origin, sex, age or disability in any school nutrition program.

A participant in the District’s school nutrition program who alleges discrimination on the basis of any of the above-listed federally-protected classes has the right to file a complaint within 180 days of the alleged discrimination, in accordance with this procedure.

**Filing a Complaint**

If an individual has an unlawful discrimination complaint concerning his or her participation in a school nutrition program, the complaint may be directed to:

Business Office Manager – Mona Larsen  
PO Box 99, Woodland Park, CO 80866  
719-686-2000  
mlarsen@wpsdk12.org

Complaints may be made verbally (in person or over the phone) or may be submitted in writing to the district contract listed above. Complaints may be filed anonymously.

When filing a complaint, the following information will be requested:

1. Complainant’s name, address, and telephone number (unless the complainant wishes to remain anonymous);
2. The nature of the incident or action that led the complainant to feel discrimination was a factor;
3. The basis on which the complainant believes discrimination exists;
4. The names, telephone numbers, titles and business or personal addresses of persons who may have knowledge of the alleged discriminatory action; and
5. The date(s) during which the alleged discriminatory action(s) occurred.

**Forwarding a Complaint**

Upon the District’s receipt of the complaint, the District shall forward the complaint as soon as possible but no later than five business days to the following:

CDE Office of School Nutrition  
1580 Logan Street Suite 760  
Denver, CO 80205

USDA Office of Civil Rights  
1400 Independence Ave., SW, Rm 1095-  
S, Stop 0206  
Washington, DC 20250  
(or emailed to [program.intake@usda.gov](mailto:program.intake@usda.gov))

USDA Mountain Plains Regional Office  
1244 Speer Blvd Suite 903  
Denver, CO 80204

FNS Office of Civil Rights  
3101 Park Center Dr., Suite 1200  
Alexandria, VA 23302

The designated agency shall then conduct the complaint review and investigation with the required timeline (90 days).

**FREE AND REDUCED-PRICE FOOD SERVICES**

Policy EFC

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

The administration has established regulations regarding participation in programs for free and reduced-price meals and supplementary food in accordance with applicable state and federal law.

### **SCHOOL YEAR/SCHOOL CALENDAR**

#### Policy IC/ICA

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

The District defines "actively engaged in the educational process" as time when students are working toward achieving educational objectives under the supervision of a licensed teacher, including:

- classroom instruction time
- individual student work time while at school, including study hall and library research
- school related field trips
- passing periods between classes
- independent study insofar as such study is allowed under District policy
- assemblies

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

Synchronous and asynchronous teacher-pupil instruction and contact time may occur during remote learning and may include the use of: District online school or program, assigned and prepared work packets, video-conferencing, pre-recorded classes, or other method(s) utilized by the District. Teacher-pupil instruction and contact time may be tracked and counted for attendance purposes occur in the following ways:

- presence during in-person or remote instruction;
- assignments completed at home;
- logging into the online learning platform;
- student demonstration of learning;
- responding to teacher emails or communication; or

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

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

- lunch
- time students spend before school waiting for classes to begin and time after the last class of the day, including waiting for the bus
- recess time
- teacher preparation time
- passing periods between classes

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

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

The District calendar for the next school year must be prepared and adopted by the superintendent, or their designee, with input from a District Calendar Committee each year. The District Calendar Committee will be established by the superintendent, or their designee, and have staff representation from each of the District schools.

Calendars must include the dates for all staff development days and for parent-teacher conferences scheduled for the coming school year. The administration may allow public input from parents and teachers prior to scheduling the dates for staff development days.

A copy of the calendar must be available via the District website or building offices at parent request. Any change in the calendar except for emergency closings or other unforeseen circumstances must be preceded by adequate and timely notice of no less than 30 days.

## **HEALTH AND SEX EDUCATION**

### Policy IHAM

The District believes a comprehensive health education program is an integral part of each student's education. The health education program should emphasize the functioning and proper care of the human body and encourage the development of lifelong, positive health habits. In addition, it should inform students about potential physical and mental health hazards they are likely to encounter in various life situations and help them make sound, intelligent decisions when they are confronted with choices that could affect their health or that of others.

The District further believes that the comprehensive health education program should provide information about sex education. While parents have the prime responsibility to assist their children in developing moral values, the District should support and supplement these efforts by offering students factual information and opportunities to discuss issues relative to sexual health.

The District shall teach about health and sex education in regular courses on anatomy, physiology, science, health, consumer and family studies. If a separate sex education program is developed, it shall not be required. Any curriculum that includes instruction on human sexuality shall be in accordance with applicable law and the District's academic standards.

In addition to the requirements listed below, the District policies and regulations concerning the approval of new curriculum and instructional materials shall apply to any comprehensive health education courses offered by the District:

1. The basic curriculum and instructional materials to be used in the District's comprehensive health education program shall be available for inspection by the public during school hours. A forum to receive comments from the public concerning the basic curriculum and instructional materials used in the District's health education program shall be scheduled prior to any new adoption.
2. In accordance with applicable state law, students' parents/guardians shall be notified in writing prior to the student's involvement in the sex education course. The notice to parents/guardians shall include a detailed, substantive outline of the topics and materials to be presented. Students in elementary and Middle School will be required to opt-in to these courses. High School students will use an opt-out policy.

3. Parents/guardians may exempt their child, upon written request, from a specific portion or portions of the instruction on the grounds that it is contrary to religious beliefs and teachings or closely held personal beliefs of the student or the student's parent/guardian. If the request for the exemption is from a specific portion of the curriculum that concerns human sexuality, no reason must be given by the parent/guardian when requesting the exemption.
4. Students shall be provided with alternate educational assignments or activities for credit corresponding to that portion of the planned curriculum from which they are exempt.

### **HEALTH AND SEX EDUCATION**

#### Policy IHAM-R - Exemption Procedure

Exemption will be granted from a specific portion of the health education curriculum on the grounds that the material taught is contrary to the religious beliefs and teachings or closely held personal beliefs of the student or of the student's parent/guardian. If the request for the exemption is from a specific portion of the health education curriculum that concerns human sexuality, no reason must be given by the parent/guardian when requesting the exemption.

### **CONCURRENT ENROLLMENT**

#### Policy IHADA

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

This policy and accompanying regulation do not apply to students seeking to enroll in postsecondary courses pursuant to the Accelerating Students through Concurrent Enrollment (ASCENT) program or a "dropout recovery program" pursuant to the Concurrent Enrollment Programs Act (the Act). Students seeking to enroll in the ASCENT program or a dropout recovery program will work with District administrators and meet the Act's applicable.

#### **Definitions**

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

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

"Qualified student" means a person who is less than 21 years of age and is enrolled in the 9<sup>th</sup> grade or higher grade level.

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

"Institution of higher education" means:

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

### **Eligibility**

Qualified students seeking to enroll in postsecondary courses at the District's expense and receive high school credit for such courses will follow the procedure accompanying this policy (see IHCDAR), including but not limited to timely submitting an application and establishing an academic plan of study. Qualified students must meet the minimum prerequisites and academic readiness for the postsecondary courses in which they seek to enroll.

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

### **Academic Credit**

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

### **High school credit will be denied if a qualified student does not receive a passing grade for the postsecondary course.**

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

### **Agreement with Institution of Higher Education**

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

### **Payment of Tuition and Additional Costs**

The District will pay the tuition for postsecondary courses successfully completed by a qualified student and for which the qualified student receives high school credit

The tuition paid by the District for the qualified student's successful completion of an approved postsecondary course will be in accordance with the Act and the District's cooperative agreement with the institution of higher education

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

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

### **Transportation**

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

### **Notice**

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

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

### **CONCURRENT ENROLLMENT (Procedure for students seeking to enroll in postsecondary courses)**

Policy IHCD-A-R

#### **1. Academic Plan of Study**

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

#### **2. Application**

The qualified student who seeks to enroll in a postsecondary course shall complete the District's concurrent enrollment application form and submit it to the high school counseling office at least 60 days prior to the end of the academic term immediately preceding the term of the student's proposed enrollment in a postsecondary course. The requested postsecondary course(s) on the student's application shall be consistent with the student's approved academic plan of study. The high school counselor may waive the 60 day requirement at his or her discretion.

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

### **FIELD TRIPS**

Policy IJOA

The District recognizes that first-hand learning experiences provided by field trips can serve as an effective and worthwhile means of learning. The District encourages field trips that are part of and directly related to the school's educational program and will yield greater learning opportunities than other educational experiences.

Specific guidelines and appropriate administrative procedures shall be developed to screen, approve and evaluate trips and to ensure that reasonable steps are taken for the safety of the participants. All field trips require expressed permission by a parent/guardian (opt-in).

Determinations regarding the appropriateness of a field trip, necessary modifications and/or accommodations, and other matters concerning students with disabilities shall be made by the student's IEP or Section 504 team.

### **GRADING ASSESSMENT SYSTEMS**

Policy IKA

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

## **State Assessment System**

State and federal law require district students to take standardized assessments in the instructional areas of English language arts, math, and science. State law also requires students in elementary and middle school to take standardized assessments in the instructional area of social studies. Accordingly, the District will administer standardized assessments pursuant to these state and federal legal requirements.

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

### **1. Pencil and paper testing option**

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

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

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

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

### **2. Parent/guardian request for exemption**

A parent/guardian who wishes to exempt their child from a particular state assessment or assessments must make this request in person at their student's school of attendance by filling out the appropriate paperwork.

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

This policy's exemption process applies only to state assessments administered pursuant to C.R.S. [22-7-1006.3](#) and does not apply to district or classroom assessments.

### **3. Sharing of student state assessment results with parents/guardians**

The Colorado Department of Education is required to provide diagnostic academic growth information for each student enrolled in the District and for each public school in the District based on the state assessment results for the preceding school years.

Appropriate school personnel, including those who work directly with the student, will have access to the student's state assessment results and longitudinal academic growth information and must share with and explain that information to the student's parent/guardian.

### **District Assessment System**

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

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

In accordance with applicable law, the District's assessment system will accommodate students with disabilities or limited English Language Learners.

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

### **Additional Assessment Information for Parents/Guardians**

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

### **Classroom Assessment System**

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

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

### **Grading System**

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

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

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

## **GRADING/ASSESSMENT SYSTEMS**

### Policy IKA-R

#### (Exemption Procedure and Information to Parents/Guardians)

#### **Parent/Guardian Request for Exemption**

In accordance with the accompanying policy, the parent/guardian of a student enrolled in the District may request that his or her child be exempt from participating in one or more state assessments.

1. The request for exemption must be submitted in writing to the school principal.
2. The parent/guardian will not be required to state the reason for asking for the exemption.
3. The request for exemption may apply to all or specific state assessments administered to the student during the school year.
4. A request for exemption will be valid for one school year. Requests for exemption from state assessments in subsequent school years require a new written request.
5. Parents/guardians are encouraged to submit their requests for exemption at the earliest possible date each school year so that the District may plan accordingly.

#### **Information to Parents/Guardians**

Each school year at the earliest possible time, the District shall distribute information to students' parents/guardians regarding the state and district assessments that the District will administer that year. This information shall also be posted on the district's website.

The District shall also distribute a district assessment calendar to students' parents/guardians at the earliest possible time each school year, and shall post the calendar on the district's website.

At a minimum, the district assessment calendar shall include:

- an estimate of the testing hours required on each testing day; and
- whether the assessment is required by federal and/or state law or was selected by the District.

## **GRADING/ASSESSMENT SYSTEMS (ACADEMIC STANDARDS)**

### Policy IKA-R1

The purpose of this regulation is to provide the framework for each grade level or Department to use to build a more complete and identifiable grading system. The end result will be grading systems that reflect the unique needs of each particular subject area or grade level and yet provide a semblance of continuity for students as they move from grade level to grade level and subject to subject.

Regardless of external pressure, academic integrity should prevail. The key to protection from external pressure is a system of accountability that is logical and explainable. Examples of potential sources of external pressure might include parents, community members, and administration or Board of Education members.

#### **I. Grading Procedures**

All expectations shall be made known to students at the beginning of the term.

- A. Factors for consideration, including but not limited to: effort, time on task, written work, tests, attendance and participation, performances, projects, creativity, etc. Grade Levels/Departments will determine the appropriate weight of these factors.
- B. All opportunities to earn credit shall be clearly explained at the beginning of the term.

## II. Alternative Assignment

- A. There is recognition that some students may need alternative assignments.
- B. Alternative assignments can be given to meet special needs of individual students, which may result from special circumstances such as Special Education, 504, Gifted/Talented, extreme medical conditions, or unusual circumstances beyond the student's control.

Grading Criteria: Students at every level of development possess traits and characteristics that are unique. Academic expectations and standards will be adjusted for that reason.

- I. Traditional Letter Grading (Grades 6-12): Grades will include "A", "B", "C", and "Not Yet".

### **ENSURING ALL STUDENTS MEET STANDARDS**

#### Policy IKE

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

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

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

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

In order to provide the services necessary to support individual learning plans, the superintendent or designee has developed tutoring programs, after-school programs, summer school programs and other intensive programs in the content areas covered by the District's academic standards. The District shall commit resources in the budget to support these programs.

As determined by the principal and in accordance with applicable law, students not meeting applicable District academic standards may not be promoted to the next grade level or allowed to graduate. The procedure to retain a student in kindergarten, first, second, or third grade due to the student's significant reading deficiency shall be in accordance with the regulation on early literacy and reading comprehension and applicable law.

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

Retention due to social, emotional or physical immaturity shall be used on a very limited basis. After consulting with the student's parents/guardians, teacher(s) and other professional staff and in accordance with applicable law, the principal shall determine whether it is in the best interest of the student to be retained for such reasons. In a case where an agreement cannot be reached, both the school and the parents will document their recommendations to the Superintendent who will make the final decision.

Acceleration, or advancing a student more than one grade level, shall be used sparingly when special circumstances warrant.

The District administration shall develop regulations to implement this policy, which shall include an appeals process concerning a decision to promote, retain, or accelerate a student.

**ENSURING ALL STUDENTS MEET STANDARDS (Transition Procedure)**

Policy IKE-R

The District is dedicated to the best total and continuous development of each student enrolled; therefore, we are committed to transitions procedure in which specific criteria must be met in order for each student to be placed at the appropriate level.

Students will normally progress annually from grade to grade. Exceptions may be made when in the judgment of the professional staff and parents such exceptions are in the best interests of the student involved. Such exceptions may include retaining a student in a grade for a second year or accelerating student through a grade.

In order to make decisions about retaining or accelerating a student, a child study/student study process must be completed. A child study/student study process is triggered by student performance issues and may be initiated by the professional staff or by a parent. Table I includes information that will be reviewed in a child study/student study process. The child study/student study process may be initiated at any time and must be completed within one quarter of its initiation.

Based on the child study/student study process, an intervention plan must be developed in discussion with parents, teachers, counselors, administrators and student (where appropriate). Possible interventions that will be considered and/or implemented are included in Table II. If retention or acceleration is considered, a transition recommendation must be made as soon as possible and placement made on an appropriate timeline.

Every effort will be made for reaching cooperative agreements acceptable to the school and parents. In the case where an agreement cannot be reached, both the school and the parents will document their recommendations to the Superintendent who will make the final decision.

Any interventions made that are based on the child study/student study process will have a mandatory follow-up. This follow-up will occur no later than four weeks into the intervention program. Appropriateness of interventions, including retention and acceleration, will be reviewed and considered. Input from parents will be an integral part of the follow-up process. Follow-up will contain progress of the interventions and next steps to be made to assure continued progress for the student.

High school transitions are guided by current policies about credits and graduation requirements.

This procedure includes the following documents/forms/considerations for implementation:

- Transitions Worksheet
- Transitions Follow-up
- Leight’s Retention Scale Sample
- Position Paper from the National Association of School Psychologists
- Administrative Policies: IHBA, IHBA-R, IHCD, IHCD-R, IKA, IKA-R, IKC, IKF-1, IKF-2, JEB, JH, JHR-1, JHR-2, JEB
- Board of Education Policies: EE-1

Table I – Information to be Reviewed During Child Study/Student Study Process

- Leight’s Retention Scale
- Review Academic Performance
  - Work Habits
  - Examples of Class Work
  - Report Cards
- Review Attendance

- Review Behavior and Discipline Issues
- Review Social and Emotional Development
  - Parent/Teacher Input
  - Age/Size/Gender
  - Student Attitude Toward Interventions/Retention/Acceleration
  - Peer Relationships
  - Attention Span
  - Maturity Level
  - Previous Interventions/Retention/Acceleration
- Review Special Services Received
- Review Standardized Assessments
  - Measures of Academic Progress (MAP)
  - STAR
  - CMAS
  - Reading Inventories (Clay/QRI/Other)
  - Building-based Assessments
  - Other
- Other Records
- Parent/Teacher Observations and Input

Table II – Interventions to Be Considered During Child Study/Student Study Process

- Classroom Accommodations/Modifications
- Teacher/parent Monitoring/Reporting
- Agendas and Contracts
- Extended Learning Opportunities (before/after school, tutorials, summer school, etc.)
- Title I Referral (elementary only) or Other Building-based Special Services
- Special Education Referral
- 504 Plan Referral
- Counseling
- Gifted/Talented Program Referral
- Retention
- Acceleration
- Other Interventions as Appropriate
- Follow-up Plans and Monitoring

**GRADUATION REQUIREMENTS (BEGINNING WITH THE CLASS OF 2021)**

Policy IKF

Graduation from high school is a culminating event that results from the foundations built at the elementary and middle levels. Graduation is a collaborative effort during a student’s public school career. Each level of school and each staff member or parent/guardian who instructs or counsels a student shares responsibility for the ultimate ability of that student to demonstrate proficiency in the content standards and to meet the expectations for graduation.

All students who graduate from Woodland Park School District Re-2 should be postsecondary and workforce ready. All graduates should have a firm foundation in the core areas of English Language Arts, Mathematics, Science and Social Studies as well as a comprehensive background in the Arts, Physical Education, other Electives and Career Pathways.

In pursuit of its mission to ensure that all students reach their learning potential and are prepared for postsecondary and career opportunities, the Board of Education has established the graduation requirements for students. (See exhibit IKF-E)

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

### **College and Career Readiness**

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

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

### **Exceptions to the District's Required Measures and Cut Scores/Criteria**

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

### **Other Eligibility Considerations to Meet Graduation Requirements:**

#### **Credit from other institutions and home based programs**

All students entering from outside the District must meet the District graduation requirements. The school point of contact shall determine whether credit toward graduation requirements shall be granted for courses taken outside the District. Students who are currently enrolled in the District who wish to obtain credit from outside institutions or through online programs must have **prior** approval from the school principal/designee.

The District shall accept the transcripts from an accredited home-based educational program. Transcripts from a non-accredited program will be reviewed by the counseling department to determine whether the courses and grades earned are consistent with District requirements and academic standards. The District may require submission of the student's work or other proof of academic performance for each course for which credit toward graduation is sought. In addition, the District may administer testing to the student to verify the accuracy of the student's transcripts. The District may reject any transcripts that cannot be verified through such testing.

#### **Online/Correspondence Courses**

Online and correspondence courses may be taken with the approval of the Administrator/Counselor for make-up credit and/or for credit towards graduation requirements.

#### **Credit Recovery/Summer School**

Opportunities to earn make-up credit may be provided by the District through summer school or credit recovery. Detailed information may be obtained through the counseling office.

#### **Early Graduation**

Under special circumstance, the principal may grant permission to students wishing to graduate early, provided the student has met all district graduation requirements in accordance with policy IKF, Graduation Requirements.

#### **Seniors expecting to graduate must complete all work prior to graduation**

Students enrolling at Woodland Park High School from a non-accredited educational institution or home-based educational program must complete their final academic year at Woodland Park High School as a full-time student.

Exceptions to the above requirements may be granted under the following special situations:

*Student and parents/guardians will be informed of the graduation requirements when the student enters school. The transcript of the new student will be evaluated promptly after being received. If problems with normal graduation expectations arise from this procedure, the student and parent/guardian will be informed. Special exceptions may be considered by the administration for the following reasons:*

- a. a student enters from a school with lesser graduation requirements
- b. student has suffered a special hardship situation (i.e., poor health, severe family problems, etc.)
- c. Other reasons causing unpreventable circumstances.

**GRADUATION REQUIREMENTS (Beginning with the Class of 2021)**

Policy IKF-E

To graduate from Woodland Park School District Re-2, the following must be achieved:

**A. Completion of an Individual Career and Academic Plan (ICAP).**

Individual Career and Academic Plan (ICAP) – a multi-year process that intentionally guides students and families in the exploration of career, academic and postsecondary opportunities.

Students will develop an ICAP. With the support of adults, students develop the awareness, knowledge, attitudes, and skills to create their own meaningful and powerful pathways to postsecondary and workforce readiness.

**B. Successful demonstration of academic and career competencies aligned to the adopted Colorado Academic Standards by earning the minimum number of credits for graduation as defined in this exhibit.**

The minimum number of credits for graduation from the District shall be 25. The subjects for which credits must be earned through grade 12 are outlined below.

<b><u>Subject Areas</u></b>	<b><u>Credits</u></b>
English (English I required) .....	3
Mathematics .....	3
Social Studies (Civics/Government required) .....	3
Science .....	3
Physical Education .....	1.5
Health .....	0.5
Fine Arts .....	0.5
Technical Arts .....	0.5
Other Academic or Elective Credits .....	10
<b>Minimum total for graduation.....</b>	<b>25</b>

**C. Demonstration of one of the following readiness standards:**

- 1. Postsecondary Workforce Readiness from a Colorado Board of Education approved menu of College and Career Ready demonstrations in English (Reading, Writing, and Communicating) AND Mathematics for all students.

*Postsecondary Workforce Readiness - "Colorado high school graduates demonstrate the knowledge and skills (competencies) needed to succeed in postsecondary settings and to advance in career pathways as lifelong learners and contributing citizens."*

Source: Adopted by the Colorado State Board of Education and Colorado Commission on Higher Education (Winter 2016) and C.R.S. 22-7-1008.

**Menu of College and Career Ready Demonstrations**

<b>Demonstration</b>	<b>English (Reading, Writing, Communicating)</b>	<b>Mathematics</b>
<b>CLASSIC ACCUPLACER</b> – a computerized test that assesses reading, writing, math and computer skills. The results of the assessment, in conjunction with a student’s academic background, goals and interests, are used by academic advisors and counselors to place students in college courses that match their skill levels.	<b>A score of at least 62 on Reading Comprehension or 70 on sentence skills</b>	<b>A score of at least 61 on Elementary Algebra</b>
<b>ACT</b> – a national college admissions exam. It measures four subjects – English, reading, math and science. The highest possible score for each subject is 36.	<b>A score of at least 18 on ACT English</b>	<b>A score of at least 19 on ACT Math</b>
<b>ACT Compass</b> – a computerized test that helps colleges evaluate students’ skills and place them in appropriate courses. It offers tests in reading, writing, math, and English as a second language.	<b>A score of at least 79</b>	<b>A score of at least 63</b>
<b>ACT WorkKeys – National Career Readiness Certification</b> – an assessment that tests students’ job skills in applied reading, writing, math and 21 <sup>st</sup> century skills. Scores are based on job profiles that help employers select, hire, train, develop and retain a high-performance workforce. Students who score at the bronze level (at least 3) in applied mathematics, mapping and reading earn the ACT’s National Career Readiness Certificate.	<b>A score of bronze or higher</b>	<b>A score of bronze or higher</b>
<b>Advanced Placement (AP)</b> – AP exams test students’ ability to perform at a college level. Districts choose which AP exams will fulfill this menu option. Scores range from 1 to 5 (highest).	<b>A score of at least 2</b>	<b>A score of at least 2</b>

<b>Demonstration</b>	<b>English</b>	<b>Math</b>
<b>Armed Services Vocational Aptitude Battery (ASVAB)</b> – a comprehensive test that helps determine students’ eligibility and suitability for careers in the military. Students who score at least 31 are eligible for service (along with other standards that include physical condition and personal conduct). Students who take the ASVAB are not	<b>A score of at least 31</b>	<b>A score of at least 31</b>

required to enlist in the military.		
<p><b>Concurrent Enrollment</b> – Concurrent enrollment provides students the opportunity to enroll in postsecondary courses, simultaneously earning high school and college credit. School districts and institutions of higher education each determine passing grades for credit. A passing grade is determined by District and higher education policy for concurrent enrollment. An eligible concurrent enrollment course is 1) the pre-requisite directly prior to a credit-bearing course or 2) a credit-bearing course.</p> <p><i>*Concurrent Enrollment does not include postsecondary extended studies or articulated college credit.</i></p>	<b>Passing grade per District and higher education policy</b>	<b>Passing grade per District and higher education policy</b>
<p><b>District Capstone Project</b> – a capstone is the cumulating exhibition of a student’s project or experience that demonstrates academic and intellectual learning. Capstone projects are District determined and often include a portfolio of a student’s best work.</p>	<b>Individualized</b>	<b>Individualized</b>
<p><b>Industry Certificate</b> – An industry certificate is a credential recognized by business and industry and is an industry standard assessment for basic knowledge, skills, and competencies in workforce readiness. Scoring and pass rates are determined by the industry. An industry certificate may be local, state and/or nationally recognized and must be approved by the District. Industry certificates measure a student’s competency in an occupation, and validate a knowledge base and skills that show mastery in a particular industry.</p>	<b>Individualized</b>	<b>Individualized</b>

<b>Demonstration</b>	<b>English</b>	<b>Math</b>
<p><b>International Baccalaureate (IB)</b> – IB exams assess students enrolled in the official IB Diploma Programme. Courses are offered only at authorized IB World Schools. Scores range from 1 to 7 (highest).</p>	<b>A score of at least 4</b>	<b>A score of at least 4</b>
<p><b>Scholastic Assessment Test (SAT)</b> – The SAT is a college entrance exam that is accepted or required at nearly all four-year colleges and universities in the U.S. The current SAT includes sections on reading, writing and math. The highest possible score for each section is 800.</p>	<b>A score of at least 470</b>	<b>A score of at least 500</b>
<p><b>Collaboratively-developed, standards-based performance assessment</b> – Pending legislation and funding for the creation, norming, and comparability</p>	<b>State-wide scoring criteria</b>	<b>State-wide scoring criteria</b>

processes required to initiate such assessments.		
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2. Completion of the requirements and goals as listed on a student’s Individual Education Plan (IEP), which may include modified content standards.

Special Education students will be provided multiple pathways to demonstrate competency and earn a diploma through the use and attainment of one or more of the following:

- As appropriate, use the same competency measures and demonstrations that provide meaningful and rigorous options for non-special education students.
- Individualized, standards-based Transition Individualized Education Plans (IEPs) that move the students toward identified postsecondary goals and competencies.
- Industry standards, military standards, college entrance requirements and/or Colorado Academic Standards as described in students’ Transition IEPs.
- Extended Evidence Outcomes (EEOs), when appropriate.

**Other eligibility considerations to meet graduation requirements:**

**Credit from other institutions and home-based programs**

All students entering from outside the District must meet the District graduation requirements. The school point of contact shall determine whether credit toward graduation requirements shall be granted for courses taken outside the District. Students who are currently enrolled in the District who wish to obtain credit from outside institutions or through online programs must have **prior** approval from the school principal/designee.

The District shall accept the transcripts from an accredited home-based educational program. Transcripts from a non-accredited program will be reviewed by the counseling department to determine whether the courses and grades earned are consistent with District requirements and academic standards. The District may require submission of the student’s work or other proof of academic performance for each course for which credit toward graduation is sought. In addition, the District may administer testing to the student to verify the accuracy of the student’s transcripts. The District may reject any transcripts that cannot be verified through such testing.

**Online/Correspondence Courses**

Online and correspondence courses may be taken with the approval of the Administrator/Counselor for make-up credit and/or for credit towards graduation requirements.

**Credit Recovery/Summer School**

Opportunities to earn make-up credit may be provided by the District through summer school or credit recovery. Detailed information may be obtained through the counseling office.

**Early Graduation**

Under special circumstance, the principal may grant permission to students wishing to graduate early, provided the student has met all district graduation requirements in accordance with policy IKF, Graduation Requirements.

**TEACHING ABOUT CONTROVERSIAL ISSUES AND THE USE OF CONTROVERSIAL MATERIALS**

Policy IMB

It is the policy of the District to provide for the teaching of controversial issues in order that the students may have an opportunity to study issues in a protected environment. A controversial issue is defined as any problem, subject or question about which there are significant differences of opinion. These issues have no easy resolution and discussion may create strong feelings among our community.

Controversial materials are subject to disagreement as to appropriateness because they refer or relate to a controversial issue or present material in a manner which is itself controversial. Examples of such materials include, but are not limited to, those that depict explicit sexual conduct, graphic violence, profanity, or drug use, or materials that may be polarizing along racial, ethnic or religious lines.

Teachers may use controversial learning materials and discuss controversial issues if they contribute to the attainment of course objectives directly related to District adopted academic standards. Student learning must be the goal of teaching about controversial issues. This policy shall not be construed to prevent teachers from teaching about the religious, ethnic, and cultural groups and their contributions to our heritage, consistent with the District adopted academic standards. Teachers have the obligation to deal with such issues in a professional manner, fostering an atmosphere in which students feel free to form and express their own points of view. The teacher has the responsibility to be objective and present multiple sides of an issue. Teachers may express their personal viewpoints and opinions; however, they do not have the right to persuade students to their own viewpoint.

Teachers shall obtain approval from the building principal prior to the use of any controversial materials not included in the District's approved resources, in accordance with procedures outlined in IJK-E1 and IJK-E2. If a teacher has a question regarding whether an issue or resource is controversial within the meaning of this policy, the teacher shall contact the principal. The principal may instruct the teacher to notify students' parents/guardians and obtain parents/guardians' permission prior to discussing a controversial issue or using controversial materials. Teachers shall inform the principal of controversial issues that arise unexpectedly which cause or are likely to cause concern for students and/or their parents/guardians.

When determining controversial issues to be taught or controversial materials used, the scope and depth of the issue as well as the students' maturity, background, and experience will be considered. Additionally, a student or the student's parents/guardians retain the right to request alternative assignments and/or exemptions from instruction as outlined in IMB-R, IMBB, and Notice of Parent's Rights. In such cases, alternative learning activities shall be provided at the request of a student or the student's parents/guardians.

## **TEACHING ABOUT CONTROVERSIAL ISSUES AND THE USE OF CONTROVERSIAL MATERIALS (REGULATION)**

### Policy IMB-R

#### **Responsibilities**

Teaching about controversial issues, all of which may contain a significant emotional element, requires the recognition and acceptance of responsibilities by all persons concerned, including students, teachers, administrators, and patrons of the District.

1. **Students:** Student responsibilities begin with a willingness to examine objectively one's own point of view and to make a concerted effort to understand the reasons for differing points of view. Such willingness is basic to working effectively with others on issues of common concern but with divergent possible solutions. Responsibilities relating to the basic premise are further emphasized in the recognition that people may differ without malice, without the disruption of emotional outbursts, and without impugning the character or integrity of those who have differing opinions.
2. **Teachers:** The effectiveness of the educational program in achieving the objectives set forth in this policy statement is primarily dependent upon the classroom teachers. Teachers have the obligation to facilitate such issues in a professional manner, fostering an atmosphere in which students feel free to form and express their own points of view. In teaching about controversial issues, teachers shall work cooperatively with the building principal. In this regard, specific responsibilities of the teacher include:
  - a. To obtain approval from the building principal prior to the use of any controversial materials not in the District's approved resources. If a teacher has a question regarding whether an issue or resource is

controversial within the meaning of this policy, the teacher shall consult with the principal. The principal may instruct the teacher to notify students' parents/guardians and obtain parents/guardians' permission prior to discussing a controversial issue and/or using controversial materials. Politically charged controversial topics shall not be taught at the elementary level.

- b. To inform the principal by the end of instructional day of controversial issues that arise unexpectedly which cause or are likely to cause concern for students and/or their parents/guardians. The principal may instruct the teacher to notify students' parents/guardians of the circumstances.
- c. To determine the necessity of the issue or material with respect to the District adopted academic standards, course objectives, and the knowledge, age, maturity, and ability of the students. Instructional value from the use of the controversial material must outweigh the potential to cause concern for students and/or their parents/guardians.
- d. To provide information for students and parents/guardians on topics taught within the classroom. At a minimum, course topics shall be shared through a semester syllabus distributed electronically to students and parents/guardians at the start of each semester at the secondary level and at the start of each quarter at the elementary level.
- e. To know and uphold opt-in and opt-out policies defined through WPSD Administrative Policy.
- f. To be thoughtful to the impact on students, parents/guardians, and the community and to be judicious in treatment of the controversial issue.
- g. To ensure a balanced presentation through the careful selection of materials, guest speakers, and other instructional resources.
- h. To label their opinion as such when it is expressed as a personal point of view. Teachers may respond to unsolicited questions regarding their personal viewpoints and opinions; however, they also have the obligation to be objective and impartially present the various sides of an issue and not persuade students to their own viewpoint.
- i. To teach students the skills required for analysis of complex issues and to provide a classroom environment in which students feel comfortable developing and expressing their own points of view.
- j. To provide an equivalent alternative learning activity/demonstration of learning at the request of a student or the student's parent/guardian. Student requests shall be verified by school staff with the parent/guardian.

**3. Administration:** The administration shall have the following responsibilities:

- a. To notify and train staff of this policy and all opt-in/opt-out policies defined through WPSD Administrative Policy, hold staff accountable to such, and address questions as they arise.
- b. To consult with the teachers concerning the appropriateness of proposed content, materials, and methods of teaching about controversial issues.
- c. To consult with teachers when controversial issues arise unexpectedly which cause or are likely to cause concern for students and/or their parents/guardians. The principal may instruct the teacher to notify students' parents/guardians of the circumstances.
- d. To support and protect teachers from undue and unjustified criticism that might arise from dealing with controversial issues in the classroom.

- e. To identify and denote high school courses in the course catalog which inherently address controversial issues.
- f. To ensure that the instructional program is not exploited by special interest groups or pressure tactics. (This does not preclude the utilization of guest speakers to present different points of view as long as the prior approval of the principal is secured.)
- g. To seek guidance from Legal Relations whenever the presentation of a controversial issue has been challenged on legal grounds or threatens the orderly operation of the school.

**4. Parents and Guardians:** Parents and guardians of students of Woodland Park School District are responsible:

- a. To review the electronic communication, including the course catalog, syllabus, and/or unit outline, and request hard copies or seek additional information as needed from school personnel.
- b. To inform the teacher in writing of their desire to request an alternative learning experience for their students.
- c. To inform the teacher, principal, and/or other appropriate District personnel when they have concern for controversial issues that are facilitated in an inappropriate manner.
- d. To recognize that concerns and questions are most quickly addressed at the level closest to the origin of the concern (i.e. classroom concerns handled with a classroom teacher).

**Complaint Procedures**

Any person having a complaint related to any matter within the scope of this policy may seek review through the procedures set forth in Policy KEC, Public Concerns/Complaints About Instructional Resources, or Policy KEF, Public Concerns/Complaints About Teaching Methods, Activities, or Presentations.

**EXEMPTIONS FROM REQUIRED INSTRUCTION**

Policy IMBB

If the religious or closely held personal beliefs and teachings of a student or the student’s parent/guardian are contrary to the content of a school subject or to any part of a school activity, the student may be exempt from participation. To receive such an exemption, the parent/guardian must present a written request for exemption to the school principal, stating the conflict involved. Requests for exemption regarding some or all of the District’s curriculum concerning human sexuality shall be in accordance with the District’s policy on health and family life/sex education.

If a student is unable to participate in a physical education class, the student must present to the school principal a statement from a physician or other licensed health care professional stating the reason for the inability to participate.

Exemptions from required instruction do not excuse a student from the District’s requirements for graduation from high school.

**EQUAL EDUCATIONAL OPPORTUNITIES**

Policy JB

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

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

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

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

### **SEXUAL HARASSMENT**

File JBB\*

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

#### **District's Commitment**

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

#### **Sexual Harassment Defined**

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

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

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

### **Reporting, Investigation, and Sanctions**

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

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

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

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

### **Notice and Training**

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

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

### **SEXUAL HARASSMENT**

#### **Policy JBB\*-R (Grievance Procedure)**

1. Students who believe they have been subject to sexual harassment will report the incident to any teacher, counselor or to the principal in their school building, who will be referred to as the grievance officer. All reports received by teachers, counselors or other district employees will be forwarded to the grievance officer. If the alleged harasser is the person designated as the grievance officer, an alternate grievance officer will be appointed by the superintendent to investigate the matter.
2. Upon receiving a report, the grievance officer will confer with the student who has allegedly been harassed as soon as is reasonably possible, but in no event more than 2 days from receiving the report, in order to obtain a clear understanding of the basis of the complaint and to discuss what action the student is seeking. The student's parents/guardians will also be contacted and kept informed regarding progress of the investigation.
3. At the initial meeting with the student, the grievance officer will explain the avenues for informal and formal action and provide a description of the grievance procedure. The grievance officer will also explain that whether or not the student files a formal grievance or otherwise requests action, the district is required by law to take steps to correct the harassment and to prevent recurring harassment or retaliation against anyone who makes a harassment report or participates in an investigation. The grievance officer will also explain to the student that any request for confidentiality will be honored so long as doing so does not preclude the school from responding effectively to the harassment and preventing future harassment.
4. Following the initial meeting with the student, the grievance officer will attempt to meet with the alleged harasser and his or her parents/guardians in order to obtain a response to the reported harassment and will investigate the matter in accordance with policy JBB\*. The grievance officer will complete the investigation within 14 days of the initial meeting with the student.

5. Within 7 days of completing the investigation, the grievance officer will determine whether the matter should proceed formally or informally. On the basis of the grievance officer's investigation and if the student requests that the matter be resolved in an informal manner and the grievance officer agrees that the matter is suitable for such resolution, the grievance officer may attempt to resolve the matter informally through conciliation.
6. If the student requests a formal grievance process, the grievance officer will transfer the record to the superintendent or designee for formal resolution within 7 days of completing the investigation, and so notify the parties by certified mail.
7. After reviewing the record made by the grievance officer, the superintendent or designee may gather additional evidence necessary to decide the case. Within 14 days of receiving the record, the superintendent or designee will announce any sanctions or other action deemed appropriate, including recommendations to the Board for disciplinary or other action.
8. Whether or not a formal grievance was filed, the district will take all steps necessary to end the harassment, to make the victim whole by restoring lost educational opportunities, to prevent harassment from recurring and to prevent retaliation against anyone who reports sexual harassment or participates in a harassment investigation.
9. All parties, including the parents/guardians of all students involved, will be notified by the superintendent of the final outcome of the investigation and all steps taken by the district.
10. At any time, the student making a report of sexual harassment may request an end to the informal process and begin the formal grievance process.

### **COMPULSORY ATTENDANCE AGES**

#### Policy JEA

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

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

Every parent of a child between the ages of seven and sixteen shall ensure that the child attends public school unless the child is enrolled in an independent or parochial school or a non-public home-based educational program.

### **INTRA-DISTRICT CHOICE/OPEN ENROLLMENT**

#### Policy JFBA

The District endorses the neighborhood school concept and makes many decisions based on student population within the attendance areas of residence. The District recognizes, however, that resident students may wish to attend a school or participate in a program located in an area other than that of their assigned school. Therefore, students will be allowed to attend any school or participate in any program of their choice on a space available, first-come, first-served basis provided that student is enrolled in that school prior to October 1 of the school year.

In implementing the open enrollment program, the District is not required to:

1. Make alterations in the structure of a requested school or make alterations to the arrangement or function of rooms within a requested school.
2. Establish and offer any particular program in a school if such program is not offered currently in such school.
3. Alter or waive any established eligibility criteria for participation in a particular program including age requirements, course prerequisites, and required levels of performance.

Notwithstanding the provisions of this policy, a student may be assigned outside the attendance area by mutual agreement of the principals in the special interest of the student and/or school with approval of the superintendent.

### **Open Enrollment and Transfers**

Resident students and their parents/guardians will be notified on an annual basis of the options available through open enrollment in sufficient time to apply.

Students, including home-schooled students desiring to take classes on a part-time basis, within designated attendance areas will have priority in registering in that school. This shall also apply to home-schooled students desiring to take classes on a part-time basis. Students may apply for open enrollment in a school outside their attendance area and such applications may be approved if there is space available in the requested school and the application has been submitted on or before the time of enrollment/registration in accordance with the regulations accompanying this policy (prior to October 1).

Parents and/or students who desire a change of school after October 1, must submit the required form requesting a transfer. The request will be reviewed and acted upon in accordance with the regulations accompanying this policy.

Students granted permission to attend a school other than the school in their assigned attendance area will have the same curricular and extracurricular status as all other students attending the school, as determined by applicable law, bylaws of the Colorado High School Activities Association, and the District's eligibility requirements.

Any student enrolled pursuant to this policy will be allowed to remain enrolled in the school or program through the end of the school year unless overcrowding or other undesirable conditions develop, as described in the accompanying regulation.

### **Transportation**

Transportation for students granted permission to attend school outside their attendance area must be furnished by their parents unless space is available in District buses without disruption of regular routes and loading areas. Homeless students, students in foster care, and students with disabilities will be transported, as necessary, in accordance with state and federal law.

### **Military Children**

The District will allow an inbound active duty military member to use the school liaison office address for the military installation to which the inbound active duty military member is or will be assigned in order to apply for open enrollment in a district school or program. No additional documentation of an inbound active duty military member's child's state address will be required to apply for open enrollment.

The district school or program in which the child of an inbound active duty military member is open enrolled will grant guaranteed automatic matriculation while the child remains in the District, including guaranteed automatic matriculation to the next grade, even if the next grade is in a different school level or building, in the same manner guaranteed automatic matriculation is provided to resident students. The District will also grant priority preference for the younger siblings of the child of an inbound active duty military member who is open enrolled for purposes of enrolling in subsequent school years.

### **Nondiscrimination**

The District, the superintendent, other administrators, and district employees will not unlawfully discriminate based on a student's disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry, or need for special education services in the determination or recommendation of action under this policy.

### **Special Education Students**

Requests from the parents of special education students for open enrollment or transfer to another school or program will be considered in accordance with applicable state and federal laws. The student's current Individual Education Plan (IEP) will be used to determine if the requested school or program can meet the student's needs.

Special Education Programming - Our Mild Moderate programs do not accept choiced-in or out of district students when the class reaches 10 enrolled students. Our Center-Based Programs do not accept any out of district students without approved placement from the student's district of residence.

### **INTRA-DISTRICT CHOICE/OPEN ENROLLMENT**

Policy JFBA-R

#### **Attendance Areas**

Students will attend the District school determined by their residence unless a request to enroll in another school or program is approved. No student will be enrolled in a school or program outside the attendance area without prior approval in accordance with these regulations.

The principal of each school will be responsible for checking student enrollment records to determine that each student is a legal resident of that school's attendance area or has an approved authorization for open enrollment or transfer.

Students must register in the school serving their attendance area or the school they request to attend even though a request is pending for open enrollment or transfer.

#### **Open Enrollment**

Requests for open enrollment must be initiated by the parents/guardians by filing the approved District form with the District Registrar.

Forms will be available in every school building, in the District Administration Office, and on the District website. A parent/guardian may access and submit forms electronically.

The receiving school principal will make the decision as to whether an open enrollment application is accepted or rejected based on criteria established in state law and Board policy. The receiving school principal will be responsible for notifying the parents/guardians and students of approval or disapproval of an open enrollment request.

#### **Grounds for Denial of Open Enrollment**

An open enrollment request may be denied at any time if:

- a. There is a lack of space or teaching staff within a particular program or school requested. Lack of space is defined when class sizes reach the following levels:
  - PK: 15
  - K-2: 23
  - 3-5: 25
  - 6-12: 30
- Special Education:
  - 15 per each mild/moderate special education teacher
  - 8 per each center-based special education teacher
- b. The school requested does not offer appropriate programs for the student, is not structure or equipped with the necessary facilities to meet the student's special needs or does not offer a particular program requested.
- c. The students does not meet the established eligibility criteria for participation in a particular program including age requirements, course prerequisites and required levels of performance.
- d. A desegregation plan is in effect for the District, and such denial is necessary in order to enable compliance with the desegregation plan.

- e. The student has been expelled from any school district during the preceding 12 months.
- f. The student has demonstrated behavior in another school district during the preceding 12 months that is detrimental to the welfare or safety of other students or of school personnel including but not limited to behavior that has resulted in an out-of-school suspension.
- g. The student has graduated for the 12<sup>th</sup> grade of any school or is in a receipt of a document evidencing completion of the equivalent of a secondary curriculum.

Upon enrollment at a school outside the attendance area, the student should plan to remain in that school for a full academic year. Once a student is accepted under the open enrollment plan, reasonable effort will be made to permit the student to complete the highest grade in that building subject to the right of residents of the attendance area to attend the school.

A student who is the child of an inbound active duty service member and who is accepted under the open enrollment plan is guaranteed automatic matriculation, including automatic matriculation to the next grade level, even if the next grade is in a different school level or building.

Students who wish to return to their home school or to open enroll in a different school must submit an open enrollment request in accordance with these regulations. A copy of the open enrollment form will be uploaded electronically into a student's online cumulative file.

Those students who apply for open enrollment who are not accepted at the time of application will be placed on a waiting list in the order in which the applications are received and will be considered for approval at a later date if space becomes available. The waiting list will be maintained until the annual pupil count day of each year, after which a new listing will be developed for the next 12 months.

### **Transfers**

The transfer process is available to allow flexibility in choice of school when the open enrollment deadline has passed and/or circumstances necessitate a change in school just prior to or during a school year. All requests for enrollment at a school outside a student's attendance area will be processed as transfers once the open enrollment deadline has passed. All transfers will be made prior to October 1 unless grounds exist for an Administrative Transfer (see Policy JFBA).

Requests for transfer must be initiated by the parents/guardians by filing the approved District form with the District Registrar.

Forms will be available in every school building, in the District office, and on the District website. A parent/guardian may access and submit forms electronically.

The receiving school principal will make the decision as to whether a transfer application is accepted or rejected based on the same criteria established in state and federal law and District policy as used to consider open enrollment requests. It may be appropriate under some circumstances to conditionally approve a transfer request. The receiving school principal will be responsible for notifying the parents and students of approval or disapproval of a transfer request as soon as possible.

Permission to transfer when granted will be for one academic year or the remainder of the year if the transfer occurs after the beginning of any school year. All transfers will be made prior to October 1 unless grounds exist for an Administrative Transfer. Renewal of transfers is not automatic.

Students who wish to return to their home school or to transfer to a different school must reapply for a transfer in accordance with these regulations.

A copy of the open enrollment form will be uploaded electronically into a student's online cumulative file.

**Criteria to Determine Availability of Space or Teaching Staff**

Open enrollment and transfers within the District will be approved subject to space availability and program availability in the school requested contingent upon District class size guidelines and subject to availability as determined by the receiving principal taking enrollment projections into consideration. Students whose open enrollment or transfer requests have been approved will be assigned to classrooms on the basis of available staff and support services as well as the best use of classroom space. Mobile units will not be taken into consideration when determining availability of classroom space.

Requests for enrollment in particular programs will take into consideration the applicant's qualifications for the program.

An open enrollment or transfer granted to one child in a family will not necessarily support the open enrollment or transfer of another child in the family, except that priority preference is granted for a younger sibling of a child of an inbound active duty service member.

**Continuing Enrollment Criteria**

Any student enrolled pursuant to this policy shall be allowed to remain enrolled in the school or program unless the student is placed on a contract due to non-compliance issues, expelled from the school or program, or the District determines that the student's application contained material misstatements or omissions.

Permission for a student to attend a District school may be rescinded at the end of the school year if the school's growth in enrollment due to an increase in students living in the school's boundary results in inadequate space or resources for enrolled students. In such cases, the enrollment of choice or transfer students will be rescinded for particular school or programs.

Any choice or transfer student may be denied enrollment for the next school year if, due to a change in circumstances, the school would be required to add programs, space or teaching staff or make an alteration to facilities or equipment in order to serve the student or the student no longer meets the established eligibility criteria for the school.

Students whose place of residence changes within the District during the school year must complete transfer forms for record-keeping purposes.

Students will be required to attend the school of their new attendance area the following year unless application is made for open enrollment or transfer.

**Eligibility for Activities**

Eligibility for participation in extracurricular and interscholastic activities will be determined in accordance with applicable law, the bylaws of the Colorado High School Activities Association, and the District's eligibility requirements.

Any student who enrolls in a school outside of the attendance area by falsifying the address forfeits eligibility to participate in the school's activities.

**Appeal Procedure**

Should a request for open enrollment or transfer be denied, the parent/guardian will be advised by the principal that they may appeal the denial by contacting the District Administration Office.

The principal shall submit the reason for denial of the request and the parent's/guardian's request to the administrator considering the appeal. The administrator will review the parent's/guardian's request and the principal's decision and then make a determination.

Upon request of either the principal or the parents/guardians, the superintendent will review the decision of the administrator. The superintendent's decision shall be final.

## **STUDENT WITHDRAWAL FROM SCHOOL/DROPOUTS**

### Policy JFC

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

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

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

## **STUDENT WITHDRAWAL FROM SCHOOL/DROPOUTS**

### Policy JFC-R

When a student is identified by the staff as a potential or immediate dropout, the following procedure is to be implemented:

1. The student and a school counselor will meet for the purpose of discussing the reason(s) for leaving school and the student's plans for the future.
2. The counselor and the student's teachers will meet to discuss the student's present scholastic standing.
3. The student, his/her parents, guardian or legal custodian, the counselor and the principal or designee will review all pertinent information and give their recommendations.

If, after the above procedure has been followed, the student remains firm on his/her intention to leave school, a final meeting will be scheduled between the student and the counselor to discuss those educational and occupational alternatives available to the student. The discussion will include, but not be necessarily limited to, the following subjects: (1) equivalency diploma; (2) adult education classes; (3) correspondence courses; and (4) available skill training programs. In addition, work-study programs will be explored.

When the student has been a dropout for 10 school days, an attempt shall be made by the school counselor to meet with the student and the student's parents(s)/legal guardian/custodian for a re-evaluation of the student's decision to leave school, with the option offered to return to school at this time as a student in good standing, depending upon the student's willingness to make up missed scholastic assignments.

When a student has been a dropout for 15 school days, the principal or designee shall send a written notice to the student's parent(s)/legal guardian/custodian. At a minimum, the written notice shall include notification of the student's dropout status and an explanation of the educational alternatives available to assist the student in re-engaging in school. Such written notice shall be sent even if the student is not subject to the compulsory attendance laws, i.e. those students 17 years of age or older. The written notice may also include, but not be limited to, an encouragement that the student return to school; an explanation of the long-term ramifications to the student of dropping out of school; and the availability of services for at-risk students, such as, counseling services, drug or alcohol addiction treatment programs, and family preservation services. The written notice shall be sent within 5 school days after the student has been a dropout for 15 school days.

All efforts possible will be extended in an attempt to retain students in school and assist them in earning a high school diploma.

## **STUDENT ABSENCES AND EXCUSES**

### Policy JH

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

Under CRS [22-33-104](#) and Woodland Park School District Policy [JEA](#) attendance is an integral part of the educational process. Students who are absent miss experiences that cannot be recreated through make up work or discussions with the teacher. Interactions with student and teacher and among other students are critical to learning. Students who are absent sometimes find it difficult to catch up. The correlation between student performance and attendance is strong. Students who have good attendance generally achieve higher grades, enjoy school more and are more employable after leaving school.

#### **Make-up Work**

It is the responsibility of the student to pick up and complete any make-up assignments permitted before, during, or after absence(s).

#### **Tardiness**

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

In an unavoidable situation, a student detained by another teacher or administrator shall not be considered tardy provided that the teacher or administrator gives the student a pass to enter the next class. Teachers shall honor passes presented in accordance with this policy. The provisions of this policy shall be applicable to all students in the District, including those above and below the age for compulsory attendance as required by law.

#### **Attendance Notification Guidelines:**

**Notification:** Upon an unverified absence, a parent/guardian will receive notification via the District messenger system when a student is absent within a given day without notice provided to the school attendance secretary by a parent/guardian.

**Homeroom Teacher Notification:** Upon 5 absences, a student's homeroom teacher will receive notification in order to establish necessary supports for the student.

**Attendance Notification:** Upon 8 absences, a parent/guardian will receive a written Attendance Notification from the School Attendance Secretary in order to extend supports or referrals for resources if needed.

**Letter of Concern:** Upon 12 absences, a parent/guardian will receive a written Letter of Concern expressing the school's concern over absences and outlining an action plan to ensure that the student continues to grow academically, socially, and emotionally.

**Chronic Absence:** Upon 15 absences, a student is considered Chronically Absent. At this time, a school official will contact the parent/guardian to continue to work in partnership with the student and family to address issues which may be affecting attendance and support for interventions as needed.

**Habitually Truant:** Upon 20 absences or 10 unexcused absences, a student is considered Habitually Truant and will be referred to a student intervention building level team, who along with the parent/guardian will determine an appropriate action plan regarding attendance, which may include:

- Continuation as Chronically Absent with an action plan that is monitored.
- Referral for a Habitually Truant Recommendation which requires an attendance contract outlining specific expectations, offering resources and defining clear timelines. Under these terms, failure to comply with the attendance contract may result in filing court papers with the Truancy Attorney.

### **Expedited Attendance Guidelines**

Any student reaching the status of Chronically Absent or Habitually Truant will be expedited through the process if attendance issues arise the following year.

### **Attendance and Extra-Curricular Activities/Athletics or School Events**

Attendance may also affect eligibility for extra-curricular activities/athletics or school events. Please refer to specific building handbooks and guidelines for further information.

## **TRUANCY**

### **Policy JHB**

If a student is absent without an excuse signed by the parent/guardian or if the student leaves school or a class without permission of the teacher or administrator in charge, the student shall be considered truant. An “habitual truant” shall be defined as a student of compulsory attendance age who has four total days of unexcused absences from school in any one (1) month or ten (10) total days of unexcused absences during any school year. Absences due to suspension or expulsion shall not be counted in the total of unexcused absences for purposes of defining a student as an “habitual truant.”

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

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

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

In accordance with law, the District may impose appropriate penalties that related directly to classes missed while truant.

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

## **STUDENT CONDUCT**

### Policy JIC

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

All District policies and regulations containing the letters "JIC" in the file name constitute the conduct section of the legally required code.

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

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

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

## **STUDENT DRESS CODE**

### Policy JICA

Woodland Park School District Re-2 believes appropriate student dress is essential to a safe, disciplined, and quality educational program for all students. The dress and grooming of students shall be clean, neat, and in a manner conducive to learning and in support of the accomplishment of the Mission Statement and Learner Goals. Additional standards may be established by building supervisors and approved by the Superintendent.

Students are expected to dress appropriately for all District and school-sponsored events. If a student is found to be in violation of the student dress code, he/she will be counseled appropriately. If the student continues to be in violation of the dress code standards, this will be treated as insubordination.

## **STUDENT CONDUCT ON BUSES**

### Policy JICC

Woodland Park School District Re-2 contracts the services of Durham School Services (a school bus company) and bus regulations are the responsibility of the contracted bus company.

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

The operator of a school vehicle shall be responsible for safety of the students in the vehicle, both during the ride and while students are entering or leaving the vehicle. Students shall be required to conform to all rules concerning

discipline, safety and behavior while riding in the school vehicle. It is the vehicle operator's duty to notify the supervisor of transportation and the principal of the school involved if any student persists in violating the established rules of conduct.

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

## **STUDENT CODE OF CONDUCT**

### Policy JICDA

#### **Students in Third Grade and Higher Grade Levels**

In accordance with applicable law and District policy concerning student suspensions, expulsions and other disciplinary interventions, the principal or designee may suspend or recommend expulsion of a student in third grade and higher grade levels who engages in one or more of the following activities while in school buildings, on District property, when being transported in vehicles dispatched by the District or one of its schools, during a school-sponsored or District-sponsored activity or event, and off District property when the conduct has a nexus to school or any District curricular or non-curricular event:

1. Causing or attempting to cause damage to District property or stealing or attempting to steal District property.
2. Causing or attempting to cause damage to private property or stealing or attempting to steal private property.
3. Willful destruction or defacing of District property.
4. Commission of any act which if committed by an adult would be robbery or assault as defined by state law.
5. Committing extortion, coercion or blackmail, i.e., obtaining money or other objects of value from an unwilling person or forcing an individual to act through the use of force or threat of force.
6. Engaging in verbal abuse, i.e., name calling, ethnic or racial slurs, either orally or in writing or derogatory statements addressed publicly to an individual or a group that precipitate disruption of the District or school program or incite violence.
7. Engaging in "hazing" activities, i.e., forcing prolonged physical activity, forcing excessive consumption of any substance, forcing prolonged deprivation of sleep, food, or drink, or any other behavior which recklessly endangers the health or safety of an individual for purposes of initiation into any student group.
8. Violation of the District's policy on bullying prevention and education.
9. Violation of criminal law which has an effect on the District or on the general safety or welfare of students or staff.
10. Violation of any District policy or regulations, or established school rules.
11. Violation of the District's policy on weapons in the schools. Expulsion shall be mandatory for bringing or possessing a firearm, in accordance with federal law.
12. Violation of the District's policy on student conduct involving drugs and alcohol.
13. Violation of the District's violent and aggressive behavior policy.

14. Violation of the District's tobacco-free schools policy.
15. Violation of the District's policy prohibiting sexual or other harassment.
16. Violation of the District's policy on nondiscrimination.
17. Violation of the District's dress code policy.
18. Violation of the District's policy on gangs and gang-like activity.
19. Throwing objects, unless part of a supervised school activity, that can or do cause bodily injury or damage to property.
20. Directing profanity, vulgar language or obscene gestures toward other students, school personnel or others.
21. Lying or giving false information, either verbally or in writing, to a District employee.
22. Engaging in scholastic dishonesty, which includes but is not limited to cheating on a test, plagiarism or unauthorized collaboration with another person in preparing written work.
23. Making a false accusation of criminal activity against a District employee to law enforcement or to the District.
24. Behavior on or off school property that is detrimental to the welfare or safety of other students or school personnel, including behavior that creates a threat of physical harm to the student exhibiting the behavior or to one or more other students.
25. Repeated interference with the District's ability to provide educational opportunities to other students.
26. Continued willful disobedience or open and persistent defiance of proper authority including deliberate refusal to obey a member of the District staff.

#### **Students in Preschool through Second Grade**

In accordance with applicable law and District policy concerning student suspensions, expulsions, and other disciplinary interventions; the principal or designee may suspend or recommend expulsion of a student in preschool, kindergarten, first grade, or second grade who engage in one or more of the following activities while on District property, in a school building, in a District or school vehicle, at a District or school activity or event, or off district property when the conduct has a nexus to school or any District curricular or non-curricular event:

1. Violation of the District's policy on weapons in the schools. Expulsion shall be mandatory for bringing or possessing a firearm, in accordance with federal law.
2. Violation of the District's policy on student conduct involving drugs and alcohol.
3. Conduct that endangers the health or safety of others.

### **VIOLENT AND AGGRESSIVE BEHAVIOR**

#### Policy JICDD

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

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

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

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

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

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

1. Possession, threat with, or use of a dangerous weapon — as described in the District's weapons policy.
2. Physical assault — the act of striking or touching a person or that person's property with a part of the body or with any object with the intent of causing hurt or harm.
3. Verbal abuse — includes, but is not limited to, swearing, screaming, obscene gestures, or threats directed, either orally (including by telephone) or in writing (including by text, social media, or other electronic means), at an individual, their family or a group.
4. Intimidation — an act intended to frighten or coerce someone into submission or obedience.
5. Extortion — the use of verbal or physical coercion in order to obtain financial or material gain from others.
6. Bullying — as described in the District's policy on bullying prevention and education.
7. Gang Activity — as described in the District's secret societies/gang activity policy.
8. Sexual Harassment or other forms of harassment — as described in the District's sexual harassment policy and nondiscrimination policy.
9. Stalking — the persistent following, contacting, watching, or any other such threatening actions that compromise the peace of mind or the personal safety of an individual.
10. Defiance — a serious act or instance of defying or opposing legitimate authority.
11. Discriminatory Slurs — insulting, disparaging, or derogatory comments made directly or by innuendo regarding a person's disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry, or need for special education services.
12. Vandalism — damaging or defacing property owned by or in the rightful possession of another.

13. Terrorism — a threat to commit violence communicated with the intent to terrorize or with reckless disregard for the risk of creating such terror or to cause serious public inconvenience, such as the evacuation of a building.

## **BULLYING PREVENTION AND EDUCATION**

### Policy JICDE\*

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

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

#### **Prohibited behavior**

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

#### **Definitions**

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

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

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

#### **Prevention and intervention**

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

1. To send a clear message to students, staff, parents, and community members that bullying and retaliation against a student who report bullying will not be tolerated.
2. To train staff on an annual basis in taking proactive steps to prevent bullying from occurring, which includes but is not limited to, training on the bullying prevention and education policy, how to recognize and intervene in bullying situations, and positive school climate practices.
3. To implement procedures for immediate intervention, investigation, and confrontation of students engaged in bullying behavior.
4. To initiate and 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 and community members in order to help maintain a bullying-free environment across settings.

6. To support targets of bullying through a layered continuum of supports that includes, but is not limited to, individual and peer counseling.
7. To help develop peer support networks, social skills, and confidence for all students.
8. To support positive school climate efforts that clearly define, teach, and reinforce prosocial behavior. This includes intentional efforts to promote positive relationships between staff and students as well as students with other students.
9. To designate a team of persons at each school who advise the school administration on the severity and frequency of bullying. The team of persons at the school may include, but need not be limited to, school resource officers, social workers, school psychologists, health professionals, mental health professionals, members of bullying prevention or youth resiliency community organizations, counselors, teachers, administrators, parents, and students.
10. To survey students' impressions of the severity and frequency of bullying behaviors in their school.
11. To include students in the development, creation, and delivery of bullying prevention efforts as developmentally appropriate.
12. To provide character building for students that includes, but is not limited to, age-appropriate, evidence-based social and emotional learning as well as information on the recognition and prevention of bullying behaviors.

A student who engages in any act of bullying, retaliation, and/or other behaviors prohibited by this policy, is subject to appropriate disciplinary action including suspension, expulsion, and/or referral to law enforcement authorities. The severity and pattern, if any, of the bullying behavior will be taken into consideration when disciplinary decisions are made. Bullying behavior that constitutes unlawful discrimination or harassment will be subject to investigation and discipline under related policies and procedures. Students targeted by bullying when such bullying behavior may constitute unlawful discrimination or harassment also have additional rights and protections under policies and procedures regarding unlawful discrimination and harassment.

### **SCHOOL-RELATED STUDENT PUBLICATIONS**

#### Policy JICEA

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

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

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

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

**SCHOOL-RELATED STUDENT PUBLICATIONS** (School Publications Code)  
Policy JICEA-R

Students who wish to distribute more than 10 items or copies of noncurricular materials on school property or at a school activity must notify the principal a minimum of one day in advance.

Students do not have to produce an advance copy of the materials that will be distributed for the principal's review. However, materials which are distributed on school grounds or at a school activity that are prohibited by this regulation's accompanying policy or other District policy may subject the responsible students to disciplinary action following distribution.

The following restrictions apply to all requests to distribute more than 10 items or copies of noncurricular materials by students on school property or at school-sponsored activity:

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

Violation of this regulation and/or accompanying policy will be sufficient cause for denial of the privilege to distribute materials at future dates and may be cause for disciplinary action, including suspension and/or expulsion.

**STUDENT DISTRIBUTION OF NON-CURRICULAR MATERIALS**  
Policy JICEC

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

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

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

### **Prohibited Distribution**

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

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

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

School equipment and supplies may not be used for publication of such material.

### **STUDENT DISTRIBUTION OF NON-CURRICULAR MATERIALS**

#### Policy JICEC-R

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2. **Time.** Distribution may be made one-half hour before school and/or during regularly scheduled lunch periods and/or 15 minutes after the close of school. Any other times during the school day are considered to be disruptive of normal school activities.
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Violation of this regulation and/or accompanying policy will be sufficient cause for denial of the privilege to distribute materials at future dates and may be cause for disciplinary action, including suspension and/or expulsion.

## SECRET SOCIETIES/GANG ACTIVITY

### Policy JICF

The District desires to keep its 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 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 take reasonable steps to deter gang intimidation of students and confrontations between members of different gangs on school grounds, in school vehicles and at school activities or sanctioned events.

## SECRET SOCIETIES/GANG ACTIVITY

### Policy JICF-R

#### **Gangs**

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

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

#### **Gang Prevention Education**

Gang prevention instruction offered in the schools will:

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

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

#### **Community Outreach**

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

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

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

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

### **Intervention Measures**

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

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

### **DRUG AND ALCOHOL USE BY STUDENTS**

#### Policy JICH

Woodland Park School District Re-2 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 District policy and considered to be behavior which is detrimental to the welfare or safety of other students or school personnel for any student to possess, use, sell, distribute or exchange or to be under the influence of alcohol, drugs or other controlled substances. The unlawful possession or use of alcohol or controlled substances is wrong and harmful to students.

For purposes of this policy, controlled substances include but are not limited to narcotic drugs, hallucinogenic or mind-altering drugs or substances, amphetamines, barbiturates, stimulants, depressants, marijuana, anabolic steroids, any another controlled substances as defined in law, or any prescription or nonprescription drug, medication, vitamin or other chemical substances not taken in accordance with the District's policy and regulations on administering medications to students or the District's policy on administration of medical marijuana to qualified students.

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

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

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

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

Situations in which a student seeks counseling or information from a professional staff member for the purpose of overcoming substance abuse shall be handled on an individual basis depending upon the nature and particulars of the case.

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

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

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

### **DRUG AND ALCOHOL USE BY STUDENTS**

#### Policy JICH-R

In accordance with the accompanying policy, the following procedures are established for alcohol or drug-related misconduct. These procedures will supplement and complement authority conferred elsewhere by District policy and will not be deemed to limit or suspend such other authority.

#### **Use**

1. When a student is suspected of use, the person having the suspicion shall notify the principal or designee. Notification must include reasons for such suspicion (observed use, unusual behavior, etc.). The principal or designee will conduct a check of the suspected student and collect data. This action shall comply with the District policy on investigations and searches.
  - a. If information is not sufficient to warrant further action, the principal or designee may have a personal conference with the student expressing awareness and concern.
  - b. If information warrants, the student's parent/guardian will be requested to attend a conference at school. The conference may include sharing the data collected, explaining consequences of involvement with drugs/alcohol, developing a plan of action, and offering the student's parent or guardian general information and resources related to substance abuse.
2. When necessary, emergency health and safety care will be provided and any procedural or disciplinary issues postponed until the student's immediate needs are treated.

#### **Possession, Distribution, Exchange**

Students who possess or are involved in any distribution or exchange of alcohol, drugs, other controlled substances or drug-containing or drug-related paraphernalia in violation of District policy will be handled in the following manner:

1. A staff member who comes in contact with evidence and/or contraband shall notify the principal or designee as soon as possible.
2. A staff member who has reasonable cause to believe that a student possesses or is involved in any distribution or exchange of alcohol, any controlled substance or drug-containing or drug-related paraphernalia in violation of District policy will request that the student accompany him or her to the principal or designee. If the student refuses, the staff member will notify the principal or designee as soon as possible.
3. The principal or designee will undertake investigation and search procedures in accordance with District policy.
4. The principal or designee will place any evidence in an envelope or alternative container as necessary which will be sealed, dated and initialed by the individual who originally obtained the materials and by the principal or designee. The evidence then will be placed in a secure location.
5. The principal or designee shall refer the student to appropriate law enforcement officials in accordance with applicable law. A mutual decision will be made as to retention of the contraband by the school or testing by the authorities.
6. If information warrants, the student's parent/guardian will be requested to attend a conference at school. The conference may include sharing the data collected, explaining consequences of involvement with

drugs/alcohol, developing a plan of action, and offering the parent or guardian general information and resources related to substance abuse.

## **WEAPONS IN SCHOOL**

### Policy JICI

Student possession, use and/or threatened use of a weapon is detrimental to the welfare and safety of the students and school personnel within the District.

#### **Dangerous Weapons**

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

If a student discovers that he or she has carried, brought or is in possession of a dangerous weapon and the student notifies a teacher, administrator or other authorized person in the school district, and as soon as possible delivers the dangerous weapon to that person, expulsion shall not be mandatory and such action shall be considered when determining appropriate disciplinary action, if any.

As used in this policy, “dangerous weapon” means:

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

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

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

#### **Firearm Facsimiles**

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

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

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

### **Local Restrictions**

The District determines that extra precautions are important and necessary to provide for student safety. Therefore, the using, possessing or threatening to use any knife, regardless of the length of the blade, on District property, when being transported in vehicles dispatched by the District or one of its schools, during a school-sponsored or district-sponsored activity or event, and off school property when the conduct has a reasonable connection to school or any District curricular or non-curricular event without authorization of the school or school district is prohibited. Students who violate this policy provision shall be subject to disciplinary action, including suspension and/or expulsion, in accordance with District policy, concerning student suspensions, expulsion and other disciplinary interventions.

### **Recordkeeping**

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

### **Referral to Law Enforcement**

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

## **STUDENT USE OF CELL PHONES AND OTHER PERSONAL TECHNOLOGY DEVICES**

### Policy JICJ

The District believes personal technology devices may be useful tools for students in the educational environment and can play a vital communication role during emergency situations. However, use of personal technology devices in school situations must be regulated to assure that the use of such devices does not disrupt or interfere with the educational process or school operations. Therefore, students may only use PTDs on district property, on a district vehicle or at a district or school-sponsored activity or event in accordance with this policy.

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

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

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

Students shall not use PTDs to engage in, promote or facilitate any other conduct that violates the student code of conduct, other District policies and/or regulations, or state or federal law.

Violation of this policy or any other district, school or classroom rule or regulation on students use of PTDs may result in disciplinary measure and/or temporary confiscation of the PTD. If the PTD continues to interfere with the learning environment, confiscated devices shall only be retrievable by a parent/guardian. If the building principal or designee

believes a student's possession or use of a PTD may involve a violation of the law, the building principal or designee may also refer the matter to law enforcement.

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

## **STUDENT INTERROGATIONS, SEARCHES, AND ARRESTS**

### Policy JIH

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

#### **Interviews by School Administrators**

When a violation of District policy or school rules occurs, the principal or designee may question potential student victims and witnesses without prior consent of the student's parent/guardian. If a school official is investigating a report of child abuse, and the suspected perpetrator is a member of the student's family, no contact with the student's family will be made.

#### **Interrogations by School Administrators**

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

#### **Searches Conducted by School Personnel**

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

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

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

#### **Search of School Property**

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

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

#### **Search of the Student's Person or Personal Effects**

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

- a. Evidence of a violation of District policies, school rules, or federal, state, or local laws.

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

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

The extent of the search of a student's person or personal effects, as well as the means to conduct the search, must be reasonably related to the objectives of the search and the nature of the suspected violation. Additionally, school officials conducting the search shall be respectful of privacy considerations, in light of the sex and age of the student.

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

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

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

### **Seizure of Items**

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

1. Seized and offered as evidence in any suspension or expulsion proceeding. Such material shall be kept in a secure place by the principal until it is presented at the hearing.
2. Returned to the student or the parent/guardian.
3. Turned over to a law enforcement officer in accordance with this policy.

### **Law Enforcement Officers' Involvement**

#### **Interrogation and Interviews**

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

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

#### **Search and Seizure**

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

### **Custody and/or Arrest**

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

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

### **STUDENT AUTOMOBILE USE/PARKING LOT SEARCHES**

#### Policy JHB

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

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

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

### **STUDENT ORGANIZATIONS (Secondary Schools)**

#### Policy JJA

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

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

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

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

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

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

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

The principal is responsible for determining that the purpose of a student organization is related to the curriculum. In the event that the principal denies a group the right to organize and conduct meetings as a curriculum-related student organization, then students may seek permission to meet as a noncurricular student organization in accordance with district policy.

## **STUDENT ORGANIZATIONS**

### Policy JJA

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

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

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

All forms of hazing shall be prohibited in a student organization. No initiation shall be held for a student organization which will be degrading to the student.

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

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

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

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

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

In the event the principal denies a group of secondary students the right to organize and conduct meetings as a curriculum-related student organization, students may seek permission to meet as a noncurricular student organization in accordance with District policy JJA-2.

## **STUDENT ORGANIZATIONS - OPEN FORUM (Secondary Schools)**

### Policy JJA-2

In addition to clubs and groups related to the curriculum, students in middle and high schools in this District shall be permitted to organize and conduct meetings of noncurriculum-related student clubs or other groups to pursue specialized activities outside the classroom. Such groups shall not be considered school-sponsored student organizations nor be given all the privileges afforded to school-sponsored organizations.

Students may conduct meetings under this policy on school premises only during non-instructional time so that meetings do not interfere with the orderly conduct of the educational activities of the school. Meetings of non-curricular student groups must be scheduled, organized, and conducted within the guidelines established by this policy and accompanying regulations.

For purposes of this policy, "non-instructional time" means time set aside by each school before actual classroom instruction begins or after actual classroom instruction ends. Lunch period is considered "non-instructional time".

Requests for permission to conduct a non-curricular student meeting must originate from a student or groups of students. Persons not attending school in this District, parents, school personnel or any other non-school persons are

prohibited from directing, conducting, controlling or regularly attending the activities of a non-curricular student group.

All non-curricular student groups meeting on school premises 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. Attendance at all meetings must be voluntary.

The administration shall develop general guidelines and rules so that students will be informed about the procedure for scheduling meetings and activities, the hours available for meetings and the facilities available for meeting space. Students must request permission for a meeting of a noncurriculum-related group from the principal and submit all scheduling requests to the principal or designee for approval.

A member of the professional staff must be invited to attend every meeting or activity scheduled on school premises as a monitor for purposes of general supervision. Students shall be responsible for ensuring the presence of a faculty monitor prior to every meeting.

Under no circumstances shall the school compel a faculty member or school employee to monitor or attend a meeting of a non-curricular student group if the content of the speech at the meeting is contrary to the beliefs of the school employee.

School employees may be present at religious meetings of a non-curricular group only in a non-participatory capacity.

All forms of hazing shall be prohibited in any group meeting on school premises. No initiation shall be held for any non-curricular student group which will be degrading to the student.

The school district, through the building principal, retains the authority to prohibit meetings which otherwise would be unlawful. Further, nothing in this policy shall be construed to limit the authority of the school to maintain discipline on school premises, to protect the well-being of students and faculty and to ensure that attendance at meetings is voluntary. Neither shall anything in this policy be used to imply that the school is sponsoring a non-curricular student group. No public funding or support shall be extended to non-curricular student groups other than an opportunity to meet on school premises.

In providing equal access to school facilities for all non-curricular groups, the District is not expressing any opinion or approval of the subject matter discussed at any meeting nor is it advocating or supporting in any manner the point of view expressed by any student or group meeting as allowed by this policy.

Non-curricular student groups shall not be denied equal access to school facilities solely on the basis of the religious, political, philosophical or other content of any speech at such meetings.

### **EXTRACURRICULAR ACTIVITY ELIGIBILITY**

#### Policy JJJ

#### **Definitions**

For purposes of this policy, the following definitions apply:

1. "Activity" means any extracurricular or interscholastic activity including but not limited to any academic, artistic, athletic, recreational or other related activity offered by a public school.
2. "School of attendance" means the school in which a student is enrolled and attends classes.
3. "District of residence" means the school district in which a student resides.
4. "District of attendance: means the school district in which a student is enrolled and attends classes if the student does not attend school in his or her district of residence. For a homeschooled student, the district of attendance shall be determined in accordance with C.R.S. 22-33-104.5(6).

5. "School of participation" means a school in which the student participates in an activity but is not the student's school of attendance.

### **Participation in Activities**

Students meeting eligibility requirements may participate in activities at their school of attendance. Subject to the same eligibility requirements and in accordance with this policy and applicable law, the District shall allow students enrolled in any school (including charter schools, online education programs, nonpublic schools and nonpublic home-based educational programs) to participate on an equal basis in any activity offered by the District that is not offered at a student's school of attendance.

If an activity is not available at a student's school of attendance, the student may participate at another public school in the district of attendance or the district of residence.

If an activity is not offered at any public school in the district of attendance or the district of residence, the student may seek to participate in a contiguous school district or at the nearest public school that offers the activity even if the school is not in a contiguous school district.

Regardless of whether the student seeks to participate in an activity at a public school in the district of attendance, district of residence, contiguous district or other district, the district in which the student seeks to participate shall choose the school of participation.

In choosing a school of participation, the District shall seek to maximize all students' opportunities to participate in activities and shall consider certain factors, including but not limited to:

1. which public school of the District offers the most activities in which the student wishes to participate;
2. which public school or schools are nearest to the students residence;
3. the preferences of the student's parents/guardians; and
4. such issues as may be presented for the district's consideration by a statewide high school activities association.

A student may participate in activities at more than one school of participation during the same school year only if the original school of participation does not offer an activity in which the student wishes to participate. This limitation applies regardless of whether the student participates in activities at a public or nonpublic school. Any additional school(s) of participation shall be chosen by the District in accordance with this policy.

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

### **Eligibility Requirements**

Eligibility requirements in the bylaws of the Colorado High School Activities Association (CHSAA) shall be observed by students at the high school level. Additional eligibility requirements may be imposed by the District for both high school and middle school students. Such eligibility requirements may include, but not be limited to, good citizenship, acceptable academic standing, parental permission and good health (sports only).

To participate in activities at a school of attendance, a student shall meet all of the requirements imposed by the school of attendance. To participate in activities at a school of participation students must comply with:

1. All eligibility requirements imposed by the school of participation.
2. The same responsibilities and standards of behavior, including related classroom and practice requirements that apply to enrolled students.

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

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

#### **Transfer Students**

If a student transfers enrollment to another school without an accompanying change of domicile by the student's parent/guardian, the student's eligibility to participate is determined by the District's eligibility requirements, bylaws and applicable law.

#### **Participation Fee**

The District may charge nonenrolled students up to 150% of the fee charged enrolled students. The District cannot charge a participation fee to any student in out-of-home placement, as the term is defined by C.R.S. 22-32-138(1)(h).

#### **Appeal**

Any student who is sanctioned or is found by the school, school district or CHSAA to be ineligible to participate in any extra-curricular activity may appeal the sanction or finding. Students may not appeal sanctions for unsportsmanlike conduct or ejection from the activity.

### **EXTRACURRICULAR ACTIVITY ELIGIBILITY**

#### Policy JJJ-R

The following rules shall govern participation in all school-approved extracurricular activities:

1. Participants must be enrolled in the district as full-time middle school students or high school students in courses that will earn three Carnegie units of credit per semester or enrolled in a nonpublic home-based program or an independent or parochial school taking an equivalent number of classes.
2. Students enrolled in the district must be in attendance at school for four (4) class periods/2 blocks of the school day in order to participate in any school-sponsored activity that is conducted on that day. In cases of emergency or extenuating circumstances, the principal or designee may grant an exception to this limitation. The attendance requirement will not apply to other students since the district cannot effectively monitor their daily attendance.

NOTE: A student will be able to participate on the day of competition/practice under this rule if he/she has attended school for four (4) class periods/2 blocks of the school day and the absence is excused, whether it be a school function or medically related, or has authorization to participate from an administrator or a student who has been injured and has had medical treatment must have a statement from his/her medical authority giving a date of a competition or practice.

3. An eligibility list will be distributed to all teachers weekly for district students. Students who receive two or more incomplete grades for the week will not be eligible to participate during the following week. No eligibility lists will be published the first two weeks of a new grading period. The activities director will certify individual student eligibility in cooperation with the guidance office. Students participating in activities who are not enrolled in the district must provide appropriate certification stating that the academic eligibility requirements have been met.
4. Students must submit a physical examination statement to the school before participating in any sport.

5. Students must have emergency treatment, district parent permission and athletic insurance waiver forms, if applicable, filled out, signed and on file with the school before being allowed to practice in a sport or participate in any activity.
6. Students violating the district code of conduct will be ineligible until they have complied with all disciplinary sanctions.

## **STUDENT DISCIPLINE**

### Policy JK

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

All policies and procedures for handling student discipline problems shall be designed to achieve these broad objectives.

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

All District policies and regulations containing the letters “JK” in the file name constitute the discipline section of the legally required code.

Administrators, teachers, parents, students and other members of the community shall be consulted in the development and review of the student conduct and discipline code.

### **Remedial Discipline Plans**

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

### **Discipline of Habitually Disruptive Students**

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

### **Distribution of Conduct and Discipline Code**

The conduct and discipline code shall be provided to each student upon enrollment in elementary, middle, and high school. The District shall take reasonable measures to ensure each student is familiar with the code. In addition, any significant change in the code shall be communicated to students and posted to the website.

## **STUDENT DISCIPLINE**

### Policy JK-R

#### **Remedial Discipline Plans**

1. The principal may develop a plan for any student who causes a material and substantial disruption in the classroom, on school grounds, in school vehicles or at school activities or events. The goal of the remedial plan shall be to address the student's disruptive behavior and educational needs while keeping the child in school.
2. To develop the plan, the principal or designee will contact the student's parent/guardian to schedule a meeting with the student, the student's parent/guardian and any members of the staff whom the principal believes should attend.
3. The purpose of the meeting will be to address the reasons for the student's disruptive behavior and to establish goals, objectives and timelines to modify such behavior. A written plan will be prepared which addresses the student's disruptive behavior, educational needs and what steps are necessary to keep the child in school. The plan will include incentives for good behavior and consequences if the student violates the plan.
4. The plan may be written in the form of a contract which the student and the parent/guardian will sign and date.
5. The parent/guardian will be provided a copy of the remedial discipline plan and it will be updated into the students' information system.

#### **Habitually Disruptive Students**

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

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

## **DISCIPLINE OF STUDENTS WITH DISABILITIES**

### Policy JK\*2

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

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

#### **Suspensions, Expulsions and Provision of Services**

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

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

Upon the eleventh school day of suspension or removal when such suspension or removal does not result in a disciplinary change of placement, educational services shall be provided to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the

goals set out in the student's IEP. School personnel, in consultation with at least one of the student's teachers, shall determine the educational services to be provided to the student during this period of suspension or removal.

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

Prior to expulsion or other disciplinary change in placement the student's parents shall be notified of the decision to take such disciplinary action and of their procedural safeguards. This notification shall occur no later than the date on which such decision is made.

### **Manifestation Determination**

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

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

### **Disciplinary Action For Behavior That Is Not A Manifestation**

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

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

### **Disciplinary Action and/or Alternative Placement For Behavior That Is A Manifestation**

If the team determines that the student's behavior is a manifestation of the student's disability, expulsion proceedings or other disciplinary change of placement will be discontinued. However, the student may be placed in an alternative setting for up to 45 school days as discussed below or the student's placement may be changed for educational reasons as determined by the IEP team or as otherwise in permitted by law.

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

### **Placement in an alternative setting for 45 school days**

School personnel may remove a student with disabilities to an interim alternative setting for not more than 45 school days without regard to the manifestation determination if:

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

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

### **Students Not Identified As Disabled**

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

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

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

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

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

### **USE OF PHYSICAL INTERVENTION AND RESTRAINT**

#### Policy JKA

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

#### **Physical Intervention**

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

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

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

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

#### **Restraint**

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

District employees shall not use restraint as a punitive form of discipline or as a threat to control or gain compliance of a student’s behavior. District employees are also prohibited from restraining a student by use of a prone restraint,

mechanical restraint or chemical restraint, as those terms are defined by applicable state law and this policy's accompanying regulation.

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

### **Exceptions**

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

1. Certified peace officers or armed security officers working in a school and who meet the legal requirements; and
2. When the student is openly displaying a weapon, as defined in C.R.S. 18-1901 (3)(e).

## **USE OF PHYSICAL INTERVENTION AND RESTRAINT**

### Policy JKA-R

#### **A. Definitions**

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

1. "Restraint" means any method or device used to involuntarily limit freedom of movement, including but not limited to bodily physical force and seclusion.
2. "Physical restraint" means the use of bodily, physical force to involuntarily limit an individual's freedom of movement. "Physical restraint" does not include:
  - a. holding of a student for less than five minutes by a staff person for the protection of the student or others;
  - b. brief holding of a student by one adult for the purpose of calming or comforting the student;
  - c. minimal physical contact for the purpose of safely escorting a student from one area to another;
  - d. minimal physical contact for the purpose of assisting the student in completing a task or response.
3. "Mechanical restraint" means a physical device used to involuntarily restrict the movement of a student or the movement or normal function of the student's body. "Mechanical restraint" does not include:
  - a. devices recommended by a physician, occupational therapist or physical therapist and agreed to by a student's IEP team or Section 504 team and used in accordance with the student's Individualized Education Program (IEP) or Section 504 plan;
  - b. protective devices such as helmets, mitts, and similar devices used to prevent self-injury and in accordance with a student's IEP or Section 504 plan;
  - c. adaptive devices to facilitate instruction or therapy and used as recommended by an occupational therapist or physical therapist, and consistent with a student's IEP or Section 504 plan; or
  - d. positioning or securing devices used to allow treatment of a student's medical needs.
4. "Chemical restraint" means administering medication to a student (including medications prescribed by the student's physician) on an as needed basis for the sole purpose of involuntarily limiting the student's freedom of movement. "Chemical restraint" does not include:
  - a. prescription medication that is regularly administered to the student for medical reasons other than to restrain the student's freedom of movement (e.g. Asthma-cort, medications used to treat mood disorders or ADHD, Glucagon); or
  - b. the administration of medication for voluntary or life-saving medical procedures (e.g. EpiPens, Diastat).

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

## **B. Basis for Use of Restraint**

Restraints shall only be used:

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

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

When restraints are used, the District shall ensure that:

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

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

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

#### **D. Proper Administration of Specific Restraints**

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

#### **E. Notification Requirements**

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

#### **F. Documentation Requirements**

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

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

#### **G. Review of Specific Incidents of Restraint**

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

#### **H. General Review Process**

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

#### **I. Staff Training**

1. The District shall ensure that staff utilizing restraint in schools are trained in accordance with the State Board rules.
2. Training shall include:

- a. a continuum of prevention techniques;
- b. environmental management;
- c. a continuum of de-escalation techniques;
- d. nationally recognized physical management and restraint practices, including, but not limited to, techniques that allow restraint in an upright or sitting position and information about the dangers created by prone restraint;
- e. methods to explain the use of restraint to the student who is to be restrained and to the student's family; and
- f. appropriate documentation and notification procedures.

3. Retraining shall occur at a frequency of at least every two years.

### **DISCIPLINARY REMOVAL FROM CLASSROOM**

Policy JKBA\*

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

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

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

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

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

Removal from class under this policy does not prohibit the District from pursuing or implementing additional disciplinary measures, including but not limited to detentions, suspensions or expulsions for the conduct or behavior for which the student was removed, in accordance with District policy concerning student suspensions, expulsions and other disciplinary interventions.

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

## **DISCIPLINARY REMOVAL FROM CLASSROOM**

### Policy JKBA-R

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

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

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

#### **Informal Removal to the Principal’s Office**

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

#### **Formal Removal From Class**

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

1. Conduct that is prohibited in the student code of conduct. A teacher’s decision to remove a student from class for behavior covered by district policies regarding suspension and expulsion may, but does not necessarily, mean that the student will also be suspended and/or expelled.
2. Disruptive, dangerous or unruly behavior. The following behavior, by way of example and without limitation, may be determined to be disruptive, dangerous or unruly:
  - a. Inappropriate physical contact intended or likely to hurt, distract or annoy others such as hitting, biting, pushing, shoving, poking, pinching or grabbing;
  - b. Inappropriate verbal conduct intended or likely to upset; distract or annoy others such as name calling, teasing or baiting;
  - c. Behavior that may constitute sexual or other harassment;
  - d. Repeated or extreme inappropriate verbal conduct likely to disrupt the educational environment particularly when others are talking (e.g., lecture by teacher, response by other student, presentation by visitor) or during quiet study time;
  - e. Throwing any object, particularly one likely to cause harm or damage such as books, pencils, scissors, etc;
  - f. Inciting other students to act inappropriately or to disobey the teacher or school or class rules, including without limitation, inciting others to walk out;
  - g. Destroying or damaging the property of the school, the teacher or another student; or
  - h. Loud, obnoxious or outrageous behavior.
3. Conduct that otherwise interferes with the ability of the teacher to teach effectively. Students are required to cooperate with the teacher by listening attentively, obeying all instructions promptly, and responding appropriately when called upon. A student’s noncompliance may, in turn, distract others either by setting a bad

example or by diverting the class from the lesson to the student's inappropriate behavior. By way of example and without limitation, this behavior includes:

- a. Open defiance of the teacher, manifest in words, gestures or other overt behavior;
- b. Open disrespect of the teacher, manifest in words, gestures or other overt behavior; or
- c. Other behavior likely or intended to sabotage or undermine classroom instruction.

#### **Procedures to Be Followed For Formally Removing A Student From Class**

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

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

At the time 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 as well as a short and concise written explanation of the intervention used by the teacher.

#### **Notice to Parent/Guardian**

As soon as practicable, the teacher shall notify the student's parent/guardian, verbally and in writing, that the student was removed from class. The written notice shall specify the class from which the student was removed, the duration of the removal which is not to exceed one day, and basis for the removal as stated by the teacher. A copy of the notice shall be submitted to the building principal or designee. The notice shall provide an opportunity for the parent/guardian to attend a student-teacher conference regarding the removal. If the student's removal from class is also subject to disciplinary action (i.e., suspension or expulsion) for the particular classroom misconduct, the student's parent/guardian shall also be notified of the disciplinary action in accordance with legal and policy requirements.

#### **Placement Procedures**

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

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

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

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

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

appropriate to return the student to regular classes, the building principal or designee may consider a different placement option.

### **Behavior Plan**

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

### **Removal For Remainder of Current Grading Period**

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

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

### **Review By Principal**

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

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

## **SUSPENSION/EXPULSION OF STUDENTS (and Other Disciplinary Interventions)**

### **Policy JKD/JKE**

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

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

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

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

For a student in preschool, kindergarten, first grade, or second grade, the District and its designee(s) also shall determine that failure to remove the student from the school building through suspension and/or expulsion would

create a safety threat that otherwise cannot be addressed, and shall document any alternative behavioral and disciplinary interventions that it employs before suspending or expelling the student.

#### Other Disciplinary Interventions

In lieu of an out-of-school suspension or expulsion and in accordance with applicable law, the principal or designee may consider the use of available interventions to address the student's misconduct. The use of such interventions will vary, depending on the facts and circumstances of an individual case. Such interventions shall be at the principal's or designee's sole discretion.

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

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

Nothing in this policy shall limit the District and its designees' authority to suspend and/or expel a student as deemed appropriate by the District and its designees. The decision to suspend and/or expel a student instead of providing an alternative to suspension or expulsion or the failure of an intervention to remediate the student's behavior shall not be grounds to prevent the District and its designees from proceeding with appropriate disciplinary measures, including but not limited to suspension and/or expulsion.

#### Delegation of Authority

1. Students in third grade and higher levels: The District has delegated to the principals of the school district or to a person designated in writing by the principal the power to suspend a student in third grade and higher grade levels in that school for not more than five school days on the grounds stated in C.R.S. 22-33-106 (1) (a), (1) (b), (1) (c) or (1) (e) or not more than ten (10) school days on the grounds stated in C.R.S. 22-33-106 (1) (d) unless expulsion is mandatory under law (see JKD/JKE-E).

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

2. The Board of Education has delegated to the superintendent of schools the authority to suspend a student, in accordance with C.R.S. 22-33-105 and 22-33-106.1 (3), for an additional 10 school days plus up to and including an additional ten (10) days necessary in order to present the matter to the Board, but the total period of suspension shall not exceed 25 school days.

3. The Board of Education has delegated to the superintendent of schools or to a designee who shall serve as a hearing officer the authority to deny admission to or expel for any period not extending beyond one (1) year any student whom the superintendent, in accordance with the limitations imposed by Title 22, Article 33, of the Colorado Revised Statutes, shall determine does not qualify for admission to or continued attendance at the public schools of the District. If the hearing is conducted by a designee serving as a hearing officer, the hearing officer shall prepare findings of fact and recommendations for the superintendent at the conclusion of the hearing. The superintendent shall render a written opinion in the expulsion matter within five days after the hearing whether the hearing is conducted by the hearing officer or the superintendent.

The superintendent shall notify the Board of Education on each case acted upon, briefly describing the circumstances and the reasons for action taken. Such denial of admission or expulsion by the superintendent

shall be subject to appeal to the Board. The appeal shall consist of a review of the facts that were presented, arguments relating to the decision and questions of clarification from the Board.

#### Expulsion for Unlawful Sexual Behavior or Crime of Violence

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

The information shall be used by the superintendent 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 superintendent shall take appropriate disciplinary action, which may include suspension or expulsion, in accordance with this policy.

The superintendent 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.

### **SUSPENSION/EXPULSION OF STUDENTS (Hearing Procedures)**

Policy JKD/JKE-R

#### A. Procedure for Suspension of 10 days or Less

The District has delegated to any school principal the power to suspend a student for not more than three (3), five (5) or ten (10) school days, depending upon the grade level of the student and type of infraction. Pursuant to policy JKD/JKE, the superintendent has been delegated the power to suspend a student for additional periods of time. However, the total period of suspension will not exceed twenty-five (25) school days. As a general rule, a suspension will be three (3) school days or less for students in preschool through second grade, and ten (10) school days or less for students in third grade and higher grade levels.

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

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

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

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

#### B. Procedure for Expulsion or Denial of Admission

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

1. Notice. Not less than seven (7) days prior to the date of the contemplated action, the superintendent or designee will cause written notice of such proposed action to be delivered to the student and the student's parent/guardian. Such delivery may be by United States mail addressed to the last known address of the student or the student's parent/guardian.
2. Emergency Notice. In the event it is determined that an emergency exists necessitating a shorter period of notice, the period of notice may be shortened provided that the student or the student's parent/guardian have actual notice of the hearing prior to the time it is held.
3. Contents of Notice. The notice will contain the following basic information:
  - a. A statement of the basic reasons alleged for the contemplated denial of admission or expulsion.

- b. A statement that a hearing on the question of expulsion or denial of admission will be held if requested by the student or parent/guardian within seven (7) days after the date of the notice.
  - c. A statement of the date, time and place of the hearing in the event one is requested.
  - d. A statement that the student may be present at the hearing and hear all information against him or her, that the student will have an opportunity to present such information as is relevant and that the student may be accompanied and represented by a parent/guardian and an attorney.
  - e. A statement that failure to participate in such hearing constitutes a waiver of further rights in the matter.
4. Conduct of Hearing. A hearing may be requested by the parent/guardian. Such hearing will be conducted by the superintendent 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, the parent/guardian and, if requested, the student's attorney. Such individuals as may have pertinent information will be admitted to a closed hearing to the extent necessary to provide such information.

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

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

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

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

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

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

6. Information to Parents. Upon expelling a student, district personnel shall provide information to the student's parent/guardian concerning the educational alternatives available to the student during the period of expulsion, including the right of parents to request that the district provide services during the expulsion. If the parent/guardian chooses to provide a home-based education program for the student, district personnel will provide the parent/guardian with information regarding homeschool.

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

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

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

#### C. Procedure for Expulsion for Crimes of Violence or Unlawful Sexual Behavior

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

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

## **STUDENT HEALTH SERVICES AND RECORDS**

### Policy JLC

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

The objectives of the school health program are:

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

#### **Health Records**

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

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

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

#### **Annual Screening Programs**

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

The parent/guardian shall be informed when a deficiency is found.

#### **Dental Health**

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

#### **Communicable Diseases**

Students showing symptoms of a communicable disease, an infectious condition, or illness or disability of a serious nature shall be referred to the school nurse. The school nurse shall report to the principal the presence of a communicable disease, if action is necessary to protect the health of other students and staff.

## **IMMUNIZATION OF STUDENTS**

### Policy JLCB

The superintendent directs to the building principals or designee(s) to annually provide parents/guardians of each student enrolled in the District a copy of the standardized immunization document developed by the Colorado Department of Public Health and Environment. The standardized immunization document includes a list of required and recommended immunizations and the age at which each immunization should be given, the school's specific immunization and exemption rates for the measles, mumps, and rubella vaccine for the school's enrolled student population for the previous school year compared to the vaccinated children standard, and a statement that the

school is required to collect and report the information, but the school does not control the school's specific immunization rates or establish the vaccinated children standard.

No student is permitted to attend or continue to attend any school in this District without meeting the legal requirements of immunization against disease unless the student has presented one of the following, as provided by law:

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

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

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

### **IMMUNIZATION OF STUDENTS**

#### Policy JLCB-R

1. No student may attend school in the District unless the student has presented to the school an up-to-date certificate of immunization, a written authorization signed by a parent/guardian requesting local public health officials administer the immunizations or a valid certificate of medical or nonmedical exemption form.
2. A student will be exempted from required immunizations only upon submission of:
  - a. a completed certificate of medical exemption from a licensed physician, qualified physician assistant, or advanced practice nurse that the student's physical condition is such that immunization would endanger the student's life or health or is otherwise medically contraindicated due to other medical conditions;
  - b. a completed certificate of completion of the online education module administered by the Colorado Department of Public Health and Environment; or
  - c. a completed certificate of nonmedical exemption signed by a parent/guardian or an emancipated student and a physician, qualified physician assistant, or advanced practice nurse.

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

3. Parents/guardians or emancipated students who assert a nonmedical exemption must submit either a completed certificate of completion of the online education module administered by the Colorado Department of Public Health and Environment or a completed certificate of nonmedical exemption that is signed by a parent/guardian or emancipated student and a physician, qualified physician assistant, or advanced practice nurse on an annual basis. Such submission will occur at the beginning of each school year that the non-medical exemption is asserted.
4. Parents/guardians or emancipated students who assert an exemption from immunizations based on a medical reason must submit the required medical exemption from to the school one time. The medical exemption form must be maintained on file at each new school the student attends.

5. Each school in the District annually provides the school's specific immunization and exemption rates for the measles, mumps, and rubella vaccine for the school's enrolled student population for the previous school year compared to the vaccinated children standard.
6. The District will provide upon request an immunization reporting form. The school nurse is responsible for seeing that required information is included on the form and transferred to an official certificate of immunization as required.
7. If there is a failure to comply with the immunization requirements, the school nurse will personally notify the parent/guardian or emancipated student. Such notification will be accomplished by telephone, email, or in person. If this is not possible, contact will be by physical mail. Emancipated students must be contacted directly rather than through their parents/guardians.

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

- a. that up to date immunizations are required under Colorado law
  - b. that within fourteen (14) days of notification, the parent/guardian must submit one of the following: an authorization for administration of the immunization by public health officials; a completed certificate of medical or nonmedical exemption; a completed certificate of completion of the online education module administered by the Colorado Department of Public Health and Environment; or documentation to the school showing that the next required immunization has been given and a written plan for completion of all required immunizations
  - c. that if the required documentation is not submitted within fourteen (14) days of notification or if the student begins but does not continue or complete the written plan, the student will be suspended or expelled.
8. A student who fails to comply will be suspended by the principal for up to five (5) days and notice of the suspension sent to the Health Department, in accordance with applicable law.
  9. If no certificate of immunization is received during the period of suspension, the superintendent will institute proceedings for expulsion.
  10. Any suspension or expulsion under this policy will terminate automatically upon compliance.
  11. Record of any such suspension or expulsion will be contained in the student's health file, with an appropriate explanation – not in the student's disciplinary file.

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

### **Students in out-of-home placements**

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

Unless the District or school is otherwise authorized to deny enrollment to a student in out-of-home placement, the District or school must enroll the student regardless of whether the District or school has received the student's immunization records. Upon enrolling the student, the school must notify the student's legal guardian that unless the school receives the student's certificate of immunization or a written authorization for administration of immunizations within fourteen (14) days after the student enrolls, the school will suspend the student until such time as the school receives the certificate of immunization or authorization.

## **ADMINISTERING MEDICINES TO STUDENTS**

### Policy JLCD

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

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

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

The administration of medical marijuana must be in accordance with the District’s policy on administration of medical marijuana to qualified students.

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

Medication may be administered to students only when the following requirements are met:

1. Medication must be in the original properly labeled container. If it is a prescription medicine, the student’s name, name of the medication, dosage, how often it is to be administered, and name of the prescribing health care practitioner must be printed on the container.
2. The school must have received written permission from the student’s parent/guardian to administer the medication to the student and either:
  - a. written permission to administer the medication from the student’s health care practitioner with prescriptive authority under Colorado law; or
  - b. a standing medical order, if the medication is an over-the-counter medication such as Advil or Tylenol.
3. The parent/guardian is responsible for providing all medication to be administered to the student, unless it is an over-the-counter medication such as Advil or Tylenol.

#### **Self-administration of medication for asthma, allergies, anaphylaxis, or other prescription medication**

A student with asthma, a food allergy, other severe allergies, or a related, life-threatening condition, or who is prescribed medication by a licensed health care practitioner may possess and self-administer medication to treat the student’s asthma, food or other allergy, anaphylaxis or related, life-threatening condition, or other condition for which the medication is prescribed. 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 must be in accordance with regulation JLCD-R.

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

### **ADMINISTERING MEDICINES TO STUDENTS**

#### Policy JLCD-R

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

1. All directives of the accompanying policy must be followed.

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

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

**Self-administration of medication for asthma, allergies, anaphylaxis, or other prescription medication**

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

1. Written authorization signed by the student's health care practitioner must be on file with the school which must include the student's name; the name, purpose, prescribed dosage, frequency, and length of time between dosages of the medication(s) to be self-administered; and confirmation that the student has been instructed and is capable of self-administration of the medication.
2. The school nurse or school administrator, in consultation with the school nurse, the student's health care practitioner, and the student's parent/guardian collaborate to make an assessment of the student's knowledge of his or her condition and ability to self-administer medication.
3. A written statement signed by the student's parent/guardian must be on file with the school, which must include permission for the student to self-administer his/her medication and a release from liability for any injury arising from the student's self-administration of such medication.
4. A written contract between the school nurse, school administrator, the student, and the student's parent/guardian must be on file with the school, assigning levels of responsibility to the student's parent/guardian, student, and school employees.

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

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

**STUDENTS WITH FOOD ALLERGIES**

Policy JLCDA\*

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

**Health care plan**

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

**Reasonable accommodations**

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

**Access to emergency medications**

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

**ADMINISTERING OF MEDICAL MARIJUANA TO QUALIFIED STUDENTS****Policy JLCDB\***

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

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

**Definitions**

For purposes of this policy, the following definitions apply:

1. "Designated location" means a location identified in writing by the school district in its sole discretion and may include a location on the grounds of the school in which the student is enrolled, upon a school bus in Colorado, or at a school-sponsored event in Colorado.
2. "Medical marijuana" means a cannabis product with a delta-9 tetrahydrocannabinol (THC) concentration greater than 0.3 percent.

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

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

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

1. The qualified student's parent/guardian has provided the school with a copy of the student's valid recommendation for medical marijuana from a licensed physician and valid registration from the state of Colorado authorizing the student to receive medical marijuana;
2. The qualified student's parent/guardian signs a written acknowledgement assuming all responsibility for the provision, administration, maintenance and use of medical marijuana under state law, and releases the District from liability for any injury that occurs pursuant to this policy;
3. The qualified student's parent/guardian or primary caregiver must be responsible for providing the permissible form of medical marijuana to be administered to the qualified student;
4. The District determines, in its sole discretion, that a location and a method of administration of a permissible form of medical marijuana are available that do not create risk of disruption to the educational environment or exposure to other students;
5. After administering the permissible form of medical marijuana to the qualified student, the student's primary caregiver must remove any remaining medical marijuana from the grounds of the school, District, school bus or school-sponsored event; and
6. The District prepares, with the input of the qualified student's parent/guardian, a written plan that identifies the form, designated location(s), instructions or treatment plan for administration from one of the student's recommending physicians, and any additional protocol regarding administration of a permissible form of medical marijuana to the qualified student. The written plan must be signed by the school administrator, the qualified student (if capable) and the qualified student's parent/guardian.

## **Additional parameters**

School personnel must not administer or hold medical marijuana in any form.

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

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

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

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

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

## **FIRST AID AND EMERGENCY MEDICAL CARE**

### Policy JLCE

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

During the school day and during school sponsored events, including those off-site, at least one staff person shall be on duty that has a current certification from a nationally recognized course in standard first aid and CPR. First aid kits shall be stored and properly maintained in each school in accordance with applicable school health rules.

Any person who in good faith provides emergency care or assistance without compensation at the place of the emergency or accident shall not be liable for any civil damages for acts or omissions in good faith. State law also exempts from civil liability certain health care providers who render emergency assistance in good faith and without compensation to persons injured in a competitive sport activity.

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

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

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

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

### **MEDICAID REIMBURSEMENT**

Policy JLCG\*

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

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

The District shall release non-directory information required for billing. However, if a parent/guardian does not wish for such information to be released they will have the opportunity to deny the release of non-directory information. To accomplish this, the District shall include denial of consent instructions with the "start of school" information each fall.

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

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

### **SCREENING/TESTING OF STUDENTS (And Treatment of Mental Disorders)**

Policy JLDAC

#### **Survey, Analysis or Evaluation of Students**

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

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

Except as otherwise required by law, students shall not be required to submit to a survey, assessment, analysis, or evaluation related to curriculum or other school activities 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 parents/guardians
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 is needed
5. the entities or persons, regardless of affiliation, who will have access to the information; and
6. a method by which a parent/guardian can grant or deny permission to access or examine the records or information

These notice provisions also apply to any survey, 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 school district to evaluate an individual child
4. be construed to require parental notice or consent for a survey, assessment, analysis or evaluation related to educational products or services for or to students or educational institutions. These products and services include, but are not limited to, the following:
  - college or other postsecondary education recruitment or military recruitment activities
  - book clubs, magazines and programs providing access to low-cost literary products
  - curriculum and instructional materials used by district schools
  - tests and assessments used by district schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students
  - the sale by students of products or services to raise funds for school-related or education-related activities
  - student recognition programs

### **Surveys, Assessment, Analysis or Evaluation for Marketing Purposes**

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

### **Annual Notice**

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

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

### **Psychiatric/Psychological/Behavior Testing Methods or Procedures**

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

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

Licensed school personnel are encouraged to be knowledgeable about psychiatric or psychological methods and procedures but shall not be involved in any diagnosis, assessment or treatment of any type of mental disorder or disability unless appropriately certified. In accordance with state law, school personnel including 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.

### **REPORTING CHILD ABUSE/CHILD PROTECTION**

#### Policy JLF

Pursuant to the Child Protection Act, any school official or employee who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect, as defined by statute, shall immediately upon receiving such information report or cause a report to be made to the 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 district shall provide periodic inservice programs for all teachers in order to provide them with information about the Child Protection Act, 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 has developed procedures to carry out this policy.

### **STUDENT DISMISSAL PRECAUTIONS**

#### Policy JLIB

The District shall take reasonable steps to ensure the health and safety of its students during the school day. Therefore, each school shall set up procedures to validate requests for early dismissal so that students are released only for proper reasons and into proper hands.

Under no circumstances shall staff dismiss a student from school prior to the end of the school day or into any person's custody without the direct prior approval and knowledge of the building principal or designee.

The principal or designee shall not excuse a student under the age of 18 before the end of a school day without a request from the student's parents/guardians. In keeping with this policy:

1. No student be released from school early on the basis of an invalidated telephone call.
2. Students of divorced or legally separated parents may be released to a noncustodial parent only upon the approval of the custodial parent.

An elementary student shall be sent home only with a parent/guardian or, if the parent/guardian is not available, with another authorized adult.

Additional precautions shall be taken by the principals as needs arise.

### **STUDENT DISMISSAL PRECAUTIONS**

#### Policy JLIB-R

1. The enrollment records of the District will include information regarding parent/guardian custodial status.
2. If a student's parents are divorced, legally separated, or have other special custody arrangements, District personnel may request a copy of any and all legal document pertaining to child custody, including restraining orders. If the custody decree is from a state other than Colorado, the decree must indicate that it has been filed with the clerk of any district court of Colorado.

3. The school shall flag the files of students whose parents are divorced or legally separated or have other special custody arrangements. The school shall maintain a card file of these students that is easily accessible to the principal or designee.
4. If a person whom the principal or designee does not recognize appears at school requesting the early dismissal of a student, the principal or designee will ask for identification such as a driver's license.
5. The District shall take reasonable measures to protect the custody rights of the various parties involved. It shall be the responsibility of the parent/guardian to keep the school apprised of the student's custody status.

### **STUDENT FEES, FINES AND CHARGES**

#### Policy JQ

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

All student fees and charges shall be adopted by the Board. The fee shall remain in place until modified or removed by Board resolution. All student fees shall be used for the stated purposes 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 and the specific activity from which the student will be excluded if the fee is not paid.

Among the fees that may be established are the following:

#### **Textbook, Library Resources, and Other School Property**

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

It is expected that students shall return textbooks, library resources, and other school property to the school in good condition except for ordinary wear. Students shall be assessed fines for lost, damaged or defaced books (including those checked out from the library), materials or equipment. The fines will be for the amount of the loss. In computing a fine, 20 percent of the original cost of a book or library resource or other school property will be deducted for each year it has been used.

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

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

#### **Fees for Expendable Supplies and Materials**

Teachers shall determine a basic course for each class which can be completed with materials furnished by the school. However, students may be charged a fee for expendable supplies and materials used in the course. Fees for expendable supplies and materials shall relate directly to the actual cost of providing these materials to the student. Students shall be required to pay for materials that go into shop, crafts or art projects that are above the basic requirements for the course and are to be retained by the student.

**Miscellaneous Fees**

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

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

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

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

**Waiver of Fees**

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

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

**Fee Schedule**

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

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

**STUDENT RECORDS/RELEASE OF INFORMATION ON STUDENTS**

Policy JRA/JRC

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

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

**Content and Custody of Student Education Records**

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

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

ratings and observations; reports of serious or recurrent behavior patterns, and any individualized education program (IEP).

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

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

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

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

#### **Access to Student Education Records by Parents and Eligible Students**

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

#### **Request to Amend Student Education Records**

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

#### **Records Retention**

In accordance with Colorado State Archive requirements, a student's permanent record must contain the following and these records must be retained permanently:

1. **Personal information consisting of:**
  - a. Student's identification number
  - b. Legal name of student
  - c. Legal name of parent or guardian
  - d. Date of birth
  - e. Sex
  - f. Address
  - g. Telephone number
  - h. Immunization record for withdrawals
2. **Enrollment history consisting of:**
  - a. Exact date the student enrolled in the district
  - b. Name, city and state of the previous school(s) attended outside the district
  - c. The schools attended within the district
  - d. The dates and grade levels of the student
  - e. Date the student withdrew or graduated from the district
  - f. Name, city and state of the school to which the student is withdrawing

#### **Academic performance consisting of the following information usually found on the transcript or on report cards:**

- a. Classes and/or grade level taken
- b. Semester grades

- c. Postsecondary courses/semester grades
- d. Advanced Placement (AP) test scores
- e. Grade point average (GPA)
- f. Class rank

**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 or eligible student shall contain the following:

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

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

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

**Disclosure Without Written Consent**

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

1. The disclosure is to a school official having a legitimate educational interest in the student education record or the personally identifiable information contained therein. In accordance with law, only those school officials who have a legitimate educational interest as described in this policy shall be permitted access to specific student education records.
  - a. For purposes of this policy, a “school official” is a person employed by the District as an administrator, supervisor, teacher or support staff member (including health or medical staff and security department personnel); a person serving on the Board of Education; a person or company with whom the District has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, consultant, or therapist); a parent or student serving on an official committee; or a parent, student or other volunteer assisting another school official in performing his or her tasks.
  - b. A school official has a “legitimate educational interest” if disclosure to the school official is: (1) necessary for that official to perform appropriate tasks that are specified in his or her position description or by a contract agreement; (2) used within the context of official school district business and not for purposes extraneous to the official’s areas of responsibility; (3) relevant to the accomplishment of some task or to a determination about the student; and (4) consistent with the purposes for which the data are maintained.
2. The disclosure is to officials of another school, school system or postsecondary institution that has requested the records and in which the student seeks or intends to enroll, or has enrolled. Any records sent during the student’s application or transfer period may be supplemented, updated or corrected as necessary.
3. The disclosure is to authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or state and local educational authorities.
4. The disclosure is in connection with a student’s application for, or receipt of, financial aid.

5. The disclosure is to state and local officials and concerns the juvenile justice system’s ability to effectively serve, prior to adjudication, the student whose records are disclosed as provided under the Colorado Open Records Act and Colorado Children’s Code. Such records and personally identifiable information shall only be disclosed upon written certification by the officials that the records and information will not be disclosed to any other party, except as specifically authorized or required by law, without the prior written consent of the parent or eligible student.
6. The disclosure is to organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate or administer predictive tests; to administer student aid programs; or to improve instruction.
7. The disclosure is to accrediting organizations for accrediting functions.
8. The disclosure is to the parent of an eligible student and the student is a dependent for IRS tax purposes.
9. The disclosure is in connection with an emergency, if knowledge of the information is necessary to protect the health or safety of the student or others.
10. The disclosure is to comply with a judicial order or lawful subpoena. The District shall make a reasonable effort to notify the parent or eligible student prior to complying with the order or subpoena unless:
  - a. The court order or subpoena prohibits such notification; or
  - b. The parent is a party to a court proceeding involving child abuse and neglect or dependency matters and the court order is issued in the context of that proceeding.
11. The disclosure is to the Secretary of Agriculture, or authorized representative from the USDA Food and Nutrition Service or contractors acting on behalf of the USDA Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations and performance measurements of state and local educational agencies receiving funding or providing benefits of program(s) authorized under the National School Lunch Act or Child Nutrition Act.
12. The disclosure is to an agency caseworker or other representative of a state or local child welfare agency or tribal organization who has the right to access the student’s case plan because such agency or organization is legally responsible, in accordance with applicable state or tribal law, for the care and protection of the student.
13. The disclosure is of “directory information” as defined by this policy.

**Disclosure of Directory Information**

Directory information may also be disclosed without written consent of the parent or eligible student. “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, photograph, major field of study, participation in officially recognized activities and sports, height and weight of members of athletic teams, dates of attendance, grade level, enrollment status, degrees, honors and awards received, the most recent previous education agency or institution attended by the student, and other similar information. Directory information also includes a student identification number or other unique personal identifier used by the student to access or communicate in electronic systems, but only if the identifier cannot be used to gain access to student education records except when used in conjunction with one or more factors that authenticate the user’s identity, such as a password known only by the authorized user.

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

The parent or eligible student has the right to refuse to permit the designation of any or all of the categories of directory information if such refusal is received in writing in the office of the principal of the school.

### **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 student's parent when disciplinary information is communicated and to provide a copy of the shared disciplinary information. The student and/or the student's parent may challenge the accuracy of such disciplinary information through the process outlined in this policy and accompanying regulation.

### **Disclosure to Military Recruiting Officers**

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

### **Disclosure to the Colorado Commission on Higher Education (CCHE)**

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

### **School Security**

Woodland Park School District employs security staff to monitor safety and security in and around schools. All investigative reports and other records created and maintained by security are not considered educational records under Family Education Rights to Privacy Act (FERPA). Accordingly, schools may disclose information from security department records to others, including outside law enforcement authorities, without parental permission and in accordance with law. Security department officials who are employed by the school district are designated as "school officials" with "legitimate interest." As such, they may be given access to personally identifiable information from students' education records.

### **Security Videos**

Woodland Park School District security staff may use security cameras as a tool to monitor and improve safety. Images of students captured on security videotapes that are maintained by the school's law enforcement unit are not considered educational records under FERPA. Accordingly, these videotapes may be shared with parents of students whose images are on the video and with outside law enforcement authorities as the security staff deems appropriate.

### **Annual Notification of Rights**

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

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

### **Governing Law**

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

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

### **Special Education Records**

The parents of a student with disabilities must be informed when student records related to special education assessments and services are no longer needed to provide educational services to the student. If the parent of a student with disabilities request that the personally identifiable information contained in records no longer needed to provided education services be destroyed, the request should be granted by removing all personal identifiers from the information. Nevertheless, the student's name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed may be retained even when all other personal identifiers have been removed from a student's records. No record will be destroyed by the removal of personal identifiers while still needed to provide educational services to a student. Special education student records shall be retained five years after all special service/special education and related services have ended provided the school district has issued a notice of pending destruction to the parents and/or guardians. This in accordance with the requirement of the Colorado State Archives.

## **STUDENT RECORDS/RELEASE OF INFORMATION ON STUDENTS**

Policy JRA/JRC-E-1

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

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

1. The right to inspect and review the student's education records within a reasonable time period after the request for access is made (not to exceed 45 days). See JRA/JRC-R.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading or otherwise in violation of the student's privacy rights. See JRA/JRC-R.
3. The right to privacy of personally identifiable information contained in the student's education records, except to the extent that FERPA and state law authorize disclosure without consent. See JRA/JRC.
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 20202-8520.
5. The right to refuse to permit the designation of any or all of the categories of directory information. See JRA/JRC.
6. The right to request that information not be provided to military recruiting officers. See JRA/JRC and JRA/JRC-E-2.

## **STUDENT RECORDS/RELEASE OF INFORMATION ON STUDENTS**

### Policy JRA/JRC-R

(Review, amendment and hearing procedures)

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

#### **Request to Review Student Education Records**

1. The parent or eligible student shall submit a written request to the principal of the school attended by the student, asking to review the student's education records.
2. Upon receipt of the written request, the principal or designee shall set a date and time for inspection and review of the records (usually within three working days after the request has been made).
3. The parent or eligible student shall examine the student's education records in the presence of the principal and/or other person(s) designated by the principal. The record itself shall not be taken from the school building.
4. During inspection and review of student education records by a parent or eligible student and when requested by them, the principal will provide personnel necessary to give explanations and interpretations of the records.
5. Upon request, on copy of the record shall be provided within a reasonable time to the parent or eligible student at a cost of \$0.25 per page.

#### **Request to Amend Student Education Records**

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

#### **Request for A Formal Hearing**

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

The hearing shall be held in accordance with the following:

1. The hearing will be held within 25 schools days after receipt of the request. Notice of the date, place and time of the hearing will be forwarded to the parent or eligible student by certified mail.
2. The hearing will be conducted by a principal or higher administrative official as designated in writing by the superintendent. The official conducting he hearing shall not be the principal who made the initial decision nor shall it be anyone with a direct interest in the outcome of the hearing.
3. Parents or eligible 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.
4. The official designated above shall make a decision in writing within 20 school days following the conclusions of the hearing and shall notify the parent or eligible student f that decision by certified mail.
5. The decision of the official shall be based upon the evidence presented at the hearing and shall include a summary of the evidence and the reason for the decision.
6. The decision shall include a statement informing the parents or eligible student of the right to place in the student education record a statement commenting upon the information in the records and/or setting forth any reason for disagreement. Any explanation placed in the records shall be maintained by the District. If the student education record is disclosed by the District to any other party, the explanation shall also be disclosed to that party.

**SHARING OF STUDENT RECORDS/INFORMATION BETWEEN  
SCHOOL DISTRICT AND STATE AGENCIES**

Policy JRCA

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

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

**Sharing of Information by the School District**

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

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

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

**Information Obtained from State Agencies**

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

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

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

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

The information shall be used by the District 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 District shall take appropriate disciplinary action, which may include suspension or expulsion, in accordance with the student code of conduct and related policies.

**WOODLAND PARK SCHOOL DISTRICT**  
**ACCEPTABLE USE AGREEMENT FOR STUDENTS**

Policy JS\*

**I. OVERVIEW**

Woodland Park School District (WPSD) makes a variety of communications and information technologies available to students through the District technology system. These technologies, when properly used, promote educational excellence in the District. Staff use appropriate technology to facilitate learning, manage their grades, and communicate both internally and externally. Students are granted technology privileges to be used as a tool of research, collaboration, creation, presentation, management, composition, and communication. The use of technology at WPSD is a **privilege, not a right**, and inappropriate use may result in a cancellation of those privileges. This Responsible Use Agreement is intended to minimize the likelihood of misuse by educating District students and setting standards which will serve to protect the District and its students.

**PARENT/GUARDIAN REVIEW**

To educate students on proper computer/network/Internet use and conduct, students review these guidelines each school year. Additionally, the parent or legal guardian of a student user is required to acknowledge receipt and understanding of the *WPSD Student Responsible Use of Technology Agreement* as part of the annual registration process, which includes signing and submitting the *Student Verification Form* at the beginning of each school year.

**DEFINITION OF THE DISTRICT TECHNOLOGY SYSTEM**

**Network**

The District network provides wired and wireless access to internal resources such as printers, files, and information systems, as well as Internet content (blogs, websites, mail, groups, wikis, etc.). By connecting any device to this network, students agree to follow accepted practices outlined in the *WPSD Student Responsible Use Policy*. This policy applies regardless of who owns the device (District or personal). Students may connect personal devices to the WPSD wireless network only; wired connections are for District devices only.

**Hardware**

WPSD provides access to different technologies geared towards enhancing student learning. Broadly, these tools are used to enable students to create, deliver and share digital content with peers and teachers. Examples of these technologies include, but are not limited to, personal computers (desktops, laptops, netbooks, and other), handheld devices (ipads, ipods, response systems), document cameras, digital projectors, interactive whiteboards, printers, scanners, digital cameras, and response systems. Many of these devices are connected to WPSD's network either through a wired or wireless connection.

**Content Access**

While using District technology, students will have access to content from a variety of sources including, but not limited to content created by teachers and other students, applications and content purchased by the District and individual schools, and content located on the Internet. In addition, students may create and share their own content in classes.

The District has multiple tools in place to help protect students from harmful content online. However, we believe that educating students about proper technology use is more effective than relying on content blocking technology as the primary tool.

WPSD works hard to balance open access to support education, and uses filtering software to block known inappropriate websites in accordance with the Children's Internet Protection Act (CIPA). The District also blocks select sites that are deemed to have no educational value and may be harmful to students. Parents should remember that, while best efforts to filter are made, no filtering system is 100% effective. Every user must take responsibility for his or her use of the network and Internet and avoid objectionable sites.

The District will not be responsible for any damages suffered by any user, including but not limited to, loss of data resulting from delays, non-deliveries, miss-deliveries or service interruptions caused by the user's own negligence, inappropriate use of the District's computer network, or any other errors or omissions. The District will not be responsible for unauthorized financial obligations resulting from the use of, or access to, the District's computer network or the Internet. Students may be held responsible for any costs incurred by the District due to inappropriate use and the District reserves the right to contact law enforcement when deemed appropriate to do so.

## **II. STUDENT GUIDELINES**

### **Responsible Use**

Woodland Park School District expects that students will use District provided technology for purposes consistent with the curriculum. WPSD technology resources should be used primarily for class assignments and other learning activities. Only school related files should be stored in student accounts. It is expected that students will use the District's technology resources efficiently, especially when other students are waiting to use them. Students are expected to take good care of District technology resources, leaving equipment and work areas in good condition.

WPSD educates students on the appropriate use of technology at school, including topics such as proper research, citation methods, good communication practices (email and social networking) and internet behavior standards. Students are expected to adopt these academic practices, just as they would in any other subject area.

### **Educational Practices: Safety & Privacy**

Woodland Park School District is committed to helping students develop safe online habits. We will provide educational opportunities and resources for each student in the safe use of technology. Students will learn about maintaining their online reputation and ensuring their personal safety by keeping their personal information private. Students are expected to follow safe practices when using the WPSD network and technology.

### **School Site Policies & Practices**

These policies apply to all schools and students within WPSD. Individual schools and teachers may develop local policies and procedures, which may be more restrictive than District policies. Not all schools or teachers will use all types of software or hardware described in this document.

### **Consequences of Violations**

Students who misuse WPSD's technology resources will be subject to discipline which may include:

- Loss of technology privileges and access to the WPSD networks;
- School disciplinary action, including suspension or expulsion;
- Legal prosecution if in violation of applicable local, state, or federal laws.

If a student is accused of any violation, s/he has all of the rights and privileges that exist with other kinds of school infractions.

Additionally, WPSD reserves the right to seek financial restitution for any loss caused through students' carelessness or negligence.

## **III. RESPONSIBLE USE POLICY FOR STUDENTS**

*Please read and discuss the provisions of these Terms and Conditions with your child.*

### **TERMS AND CONDITIONS**

WPSD technology resources and tools are provided to support curriculum, courses and assignments and should be used primarily to support them. If you have any doubt about whether a contemplated activity is acceptable, consult your teacher, library media specialist, counselor, or administrator to help decide if a use is appropriate. To ensure that technology is used appropriately, students must abide by the following terms and conditions:

#### **Respect and protect your own and the privacy of others by:**

1. Using only accounts assigned to you.
2. Only viewing or using passwords, data, drives, or networks to which you are authorized.

3. Never distributing private information about yourself to others.

**Respect and protect the integrity, availability, and security of all electronic resources by:**

1. Observing all District Internet filters and posted network security practices.
2. Immediately reporting security risks, computer or network malfunctions, or proper use violations to a teacher or administrator.
3. Not destroying or damaging data, equipment, networks, or other resources.
4. Sharing technology resources with other users.

**Respect and protect the intellectual property of others by:**

1. Following copyright laws (not making illegal copies of music, pictures, images, videos, games, software, apps, files or movies).
2. Citing sources when using others' work (not plagiarizing).

**Respect your community by:**

1. Communicating only in ways that are kind and respectful.
2. Reporting threatening or discomfoting materials to a teacher or administrator.
3. Not intentionally accessing, transmitting, copying or creating material that violates the school's code of conduct (such as messages/content that are pornographic, obscene, threatening, discriminatory, harassing, intimidating or bullying).
4. Participating positively in all digital learning environments and refraining from behaviors that negatively impact your peers or staff members.

**Inappropriate Use:**

District technology resources are shared amongst all students and staff at WPSD. Use of these resources is a privilege and WPSD expects students to use them responsibly. Shared resources and tools are provided primarily for educational purposes. While incidental personal use is acceptable, students must restrict these to activities that won't negatively impact bandwidth or computer availability for others. Some examples of unacceptable technology or network use by students include but are not limited to:

- a. Playing games or online gaming, unless approved by your teacher;
- b. Installing software on District equipment without permission of your teacher;
- c. Downloading, or use of, non-approved files, including games, multimedia, applications, operating systems or any other content in violation of District policies or copyright laws;
- d. Viewing, downloading or sharing obscene, pornographic or other offensive or copyrighted material;
- e. Engaging in hacking on the network or intentionally introducing malicious code into the District network;
- f. Attempts (successful or not) to gain unauthorized access to District resources;
- g. Attaching unauthorized and/or unapproved electronic devices to District resources;
- h. Using tools designed to bypass or disable District safeguards and monitoring services, such as content filters and security tools;
- i. Using tools to hide a student's identity or IP address;
- j. Recording or broadcasting students or staff without their permission;
- k. Harmful activities towards other students, including cyberbullying, online impersonation, etc;
- l. Deliberately causing network congestion;
- m. Personal gain, commercial solicitation or compensation of any kind;
- n. Any activity that is in violation of WPSD student code of conduct, school policy, or any local, state or federal law;
- o. Sharing their own or other student's personal information, such as address or phone number, in any electronic medium;
- p. Establishing wireless access points, wireless routers, or open networks on personal devices.

**Consequences of Inappropriate Use:**

Students who misuse WPSD's technology resources will be subject to discipline which may include:

- Loss of technology privileges and access to the WPSD networks;

- School disciplinary action, including suspension or expulsion;
- Legal prosecution if in violation of applicable local, state, or federal laws.

If a student is accused of any violation, s/he has all of the rights and privileges that exist with other kinds of school infractions.

Additionally, WPSD reserves the right to seek financial restitution for any loss caused through students' carelessness or negligence.

### **Digital Learning Environments**

Students may participate in online environments related to curricular projects or school activities and use digital tools, such as, but not limited to, mobile devices, blogs, discussion forums, RSS feeds, podcasts, wikis, and online meeting sessions. The use of these tools are considered an extension of the classroom. Verbal or written language that is considered inappropriate in the classroom is also inappropriate in all uses of blogs, wikis, podcasts, and other District-provided digital tools. Parents wishing to deny access to these curricular resources must do so in writing to the site principal indicating their child should be denied access to these tools. For detailed information regarding tools utilized within a building, please contact the building administrator.

### **Use of Personal Electronic Devices**

Schools currently address the appropriate use of personal electronics in student handbooks. Laptops, tablets or other computing devices, may be used in classrooms when authorized by the teacher. Use of any cameras, including those in electronic or computing devices, to photograph people without their written permission is prohibited. The District is in no way responsible for any kind of loss, damage or technical support of personal devices.

Please note that students using electronic devices that connect to non-District networks are still subject to the Responsible Use Policy.

### **Supervision and Monitoring**

The use of District owned information technology resources is not private. Authorized employees monitor the use of information technology resources to help ensure that uses are secure and in conformity with District policies.

Administrators reserve the right to examine, use, and disclose any data found on the school's network in order to further the health, safety, discipline, or security of any students or other person, or to protect property. In other words, students must understand that computer files and electronic communications are not private and may be accessed by the District for the purpose of ensuring proper use. Administrators may also use this information in disciplinary actions, and will furnish evidence of crime to law enforcement. The District reserves the right to determine which uses constitute acceptable use and to limit access to such uses. The District also reserves the right to limit the time of access and priorities among competing acceptable uses.

### **Disclaimer of Liability**

The District makes no guarantees about the quality of services provided and is not responsible for any claims, losses, damages, costs, or other obligations arising from the use of the network or accounts. Any additional charges a user accrues due to the use of the District's network are to be borne by the user. The District also denies any responsibility for the accuracy or quality of the information obtained through user access. The District denies any responsibility for material encountered on a computer network, including the Internet, which may be deemed objectionable to a user (or his/her parents, if a minor) or for any hostile or injurious actions of third parties encountered through a computer network. Any statement accessible on the computer network or the Internet is understood to be the author's individual point of view and not that of the District, its affiliates or employees. Due to the nature of electronic communications and changes in the law, it is also impossible for the District to guarantee confidentiality of email sent or received over any computer network.

By signing the *Parent Acknowledgement Form* upon initial student registration and the *Student Verification Form* each subsequent year at registration, parents/guardians acknowledge receipt and understanding of the *Student Responsible Use of Technology Agreement*.

**WOODLAND PARK SCHOOL DISTRICT**  
**ACCEPTABLE USE AGREEMENT FOR STUDENTS**

JS-E

**Guidelines**

- I agree to abide by all school rules, District policies, and local, state, and federal laws while using District technology resources.
- I will abide by copyright law and will give credit to authors, artists, illustrators, photographers, and other creators of information when I use their intellectual property.
- I understand that I may use the District's technology resources primarily for educational purposes; however, personal incidental use is allowed on a limited basis except for, but not limited to, the downloading or streaming of digital content such as videos and music for entertainment purposes.
- I understand that I may not use District technology resources for conducting a personal for-profit business.
- I will not attempt to access, read, view, or copy inappropriate or pornographic pictures or information.
- I will not use technology resources to hurt, harass or bully District staff and students and their family members, including when I use social networking sites either inside or outside of school
- I will report anyone who uses or tries to use District technology resources to hurt, harass or bully me.
- I will not share my password with others. I could be held responsible for damage incurred using or when using my password.
- I will not pretend to be someone else and will only use my account when using District technology resources.
- I will not read, copy, or damage the work of other students.
- I will not give out my name, password, address or any other personal information to someone I don't know either on the Internet or by e-mail.
- I will not use improper language (i.e. swearing, vulgarity, ethnic or racial slurs, name calling) and any other use of language that violates a school or District policy, regulation, practice, rule or expectation.
- I will not spread falsehoods about a person that lowers the affected individual in the eyes of the community.
- I will not disrupt the District's network including, but not limited to, seeking or obtaining unauthorized access to others' files, documents or other communications, or sending or forwarding chain letters or large files to other, or introducing malware, worms, Trojans, or viruses.
- I will not use or create a wireless access point (mobile hotspot, external access point, etc.) that is not provided by the District.
- I will not upload, download or install personal software on the District network unless specifically authorized.
- I will not copy computer programs.
- I will practice personal responsibility with regard to theft prevention if I bring personally-owned electronic devices to school; and I will abide by my school's rules for current practices regarding use of personal electronic devices at my school.
- I will not try to block or get around the filters on District's technology resources.

**Knowledge Base**

- I understand that the District’s hardware, software, and network may not work every day.
- I understand that sometimes digital files may be lost, and it is my responsibility to back-up my work.
- I understand that I am responsible for verifying information and using credible resources on the internet.
- I understand that technology resources belong to the District and that using them is a privilege, not a right.
- I understand the District reserves the right to block devices by MAC addresses.
- I understand and agree that other people may look at the information or messages created, sent or received by me on District computer equipment or other educational technology, including, but not limited to, e-mail messages, text messages, sites I have visited on the internet, and files I have uploaded or downloaded on the internet; at any documents created by me; and at any postings I have made to social network sites or blogs, chat rooms, or online websites, and I consent to the District looking at such information, messages, documents and postings.
- In the event that district provided technology devices are used off campus, the district will provide a technology protection measure to ensure Internet safety.

**Damaging the District’s Technology Resources or Network**

- I might not be allowed to use the District’s technology resources if I break these rules.
- I may have to pay for any damage I cause.
- I may be suspended or expelled from school if I damage hardware, software, or the network.

**Disclaimer**

- Any user accessing the District’s technology via a personally owned device releases the District from liability for any damage, loss or injury caused or indirectly caused to the personally owned device by the use of the technology (i.e. a virus).

**Opt-Out**

- If you would like your student to opt out of Internet use, email use or from having their photo or likeness published, contact your school’s administrator to discuss this and obtain an opt-out form.

**To be Completed by the Parent or Legal Guardian for Students Under the Age of 18.**

As the parent or guardian of a WPSD student I have read the complete document, understand its contents, and agree that my child will abide by it. I am fully aware that this system is administered by the school district and is intended for official school district business and educational use only.

Should my child commit any violation, his/her access privileges may be revoked and other disciplinary action may be taken.

\_\_\_\_\_  
Student Name (please print)

\_\_\_\_\_  
Parent or Guardian's Name (please print)

\_\_\_\_\_ Date: \_\_\_/\_\_\_/\_\_\_

Parent or Guardian's Signature

**CUSTODIAL AND NONCUSTODIAL PARENT RIGHTS AND RESPONSIBILITIES**

Policy KBBA

The district presumes that the person who enrolls a student in school is the student's custodial parent. Unless a Colorado court specifies otherwise, the custodial parent shall be the one whom the school district holds responsible for the education and welfare of that child.

Parents or guardians shall have the right to receive information contained in school records concerning their minor child and to forbid or permit the disclosure of such information to others unless authorized by the custodial parent. The district unless informed otherwise, assumes that there are no restrictions regarding the noncustodial parent's right to be kept informed of the student's school progress and activities. If restrictions are made relative to the rights of the noncustodial parent, the custodial parent shall be requested to submit a certified copy of the court order which curtails these specific rights.

Unless there are specific court-imposed restrictions, the noncustodial parent, upon request, shall be given access to all of the student's educational records including, but not limited to the student's cumulative file and the student's special education file, if applicable. Teacher conferences with the noncustodial parent shall be permitted only upon the written consent of the custodial parent.

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

**PUBLIC CONCERNS AND COMPLAINTS**

Policy KE

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 District.

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

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

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

If the concern or complaint is related to a violation of non-discrimination, please refer to policy AC and regulation AC-R.

**PUBLIC CONCERNS AND COMPLAINTS**

Policy KE-R

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

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

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

The public complaint process shall be as follows:

- Step 1. Generally, the first step is to discuss the complaint or concern with the district employee responsible for the event or action that forms the basis for the complaint.
- Step 2. If the complaint is not resolved at Step 1, the person may initiate a formal complaint that shall be written, dated and signed. The person may then request review of the formal complaint by submitting it to the district employee having direct administrative or supervisory responsibility over the work of the employee involved in the complaint. Such complaint shall be filed within 20 working days of discussing the complaint pursuant to Step 1. If the supervisor or administrator determines that the complaint cannot be resolved informally, the supervisor or administrator shall render a written decision within 10 working days of receipt of the complaint.
- Step 3. If the complaint is not resolved at Step 2, the person may request review of the formal complaint by submitting it to the Superintendent within 10 working days of receipt of the decision in Step 2. If the Superintendent or Superintendent's designee determines that the complaint needs further response, the Superintendent shall render a written decision within 10 working days of receipt of the complaint and any written decision from Step 2. All decisions and finding by the Superintendent shall be final.

If the complaint is about the Superintendent, contact Board of Education President.

### **PUBLIC CONCERNS/COMPLAINTS ABOUT INSTRUCTIONAL RESOURCES**

#### Policy KEC

The District recognizes the need and right of students to free access to many different types of books and materials. It also recognizes the right of the professional staff to select books and other materials supportive of the District's educational philosophy and goals.

District policy governs the selection of all instructional materials including library books. However, the following additional principles shall apply to the selection of books and other materials which present controversial topics or which for other reasons might be challenged.

Instructional resource materials that are challenged usually belong to one of the three basic categories and will be treated as follows:

1. Religion – Factual, unbiased material on all major religions has a place in school libraries.
2. Ideologies – Libraries should, with no thought toward swaying reader judgment, make available a balanced collection of primary and factual material on the level of their students on various ideologies or philosophies which exert or have exerted a strong force, either favorably or unfavorably, in government, current events, politics, education and other phases of life.
3. Profanity/obscenity – Materials shall be subjected to a test of literary merit by media specialists and teachers who will take into consideration the maturity of students and the standards of the community.

Criticism of a book or other materials used in the schools may be expected from time to time. In such instances:

1. The District recognizes the right of an individual parent/guardian to request that his/her child not read a given book. When such a request is presented, the teacher and/or school administrator should resolve the situation, perhaps by arranging for use of alternative materials meeting essentially the same instructional purpose. This does not apply, however, to basic program texts and materials that the Board has adopted.

2. The District shall not permit any individual or group to exercise censorship over instructional materials and library collections but recognizes that at times a re-evaluation of certain materials may be desirable. Should an individual or group ask to have any book or other material withdrawn from school use:
  - a. Most complaints can and should be resolved at the building level. Many concerns are the result of simple misunderstandings or misinformation and can be resolved through informal inquiry and discussions with principals and/or teachers or library media specialists.
  - b. When a complaint is received, the school principal will hold a conference with the complainant. If the complainant is dissatisfied with results of this building level conference or the proposed action as a result of the conference, the principal will inform the complainant of the procedures for Public Concerns/Complaints About Supplemental Instructional Materials (KEC-E).
  - c. The complainant will complete the Public Concerns/Complaints About Supplemental Instructional Materials (KEC-E) and submit to the Superintendent for review.
  - d. Following receipt of the formal complaint, the Superintendent will notify the Assistant Superintendent to convene a Review Committee and provide him or her with copies of the written request.
  - e. The Assistant Superintendent will appoint a Review Committee composed of building principal, a teacher from the content area in question, building instructional resource teacher (IRT), building media specialist, two parents and one student (optional) if at the high school level. Members of the Review Committee will receive a copy of the written Public Concerns/Complaints About Supplemental Instructional Materials (KEC-E) as well as any documentation from the teacher(s) supporting the use of the instructional material.

The Review Committee shall consider the principles governing the selection of all the principles governing the selection of all instructional materials. Additionally, the District wishes to emphasize that:

- (1) A learning resource shall not be excluded because of the writer's race, nationality, political or religious views.
- (2) The value of any learning resource shall be judged as a whole, taking into account the purpose of the material rather than individual, isolated expressions or incidents in the work.

The Review Committee shall address the concerns brought forth in the written Public Concern/Complaint. Additional questions for the Review Committee to consider:

- (1) Was the appropriate process followed in approving the instructional material?  
(IJK-E)
- (2) Are the learning resources appropriate for instructional use in that they enrich and support the educational objectives of curriculum, taking into consideration the varied interests, abilities, intellectual development, and maturity levels of the students served and the standards of the community?
- (3) Do the learning resources stimulate growth in knowledge, literary appreciation, aesthetic values or ethical standards?
- (4) Do the learning resources provide a background of information which enables students to make intelligent judgments in their daily lives?

- (5) Do the learning resources contribute to the presentation of opposing sides of controversial issues within the overall collection so that young citizens may develop, under the guidance, the practice of critical analysis of media?
- (6) Are the learning resources representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage?
- (7) Do the learning resources promote the goal of providing a comprehensive collection, appropriate for the interests and needs of the users, recognizing their right to access a wide range of reading materials and activities?
- (8) Do the learning resources encourage enjoyment of reading, viewing, and listening which is appropriate for all levels?
- (9) Do the learning resources present timely educational and community issues?

A written decision from the Review Committee will be given to the Superintendent within 15 days of receipt of the complaint. This decision will be communicated to all parties involved and District Administration. Should the solution be unsatisfactory, the complainant may appeal the decision to the Board.

In summary, the Board assumes final responsibility for all books and instructional materials it makes available to students. It holds its professional staff accountable for their proper selection. It recognizes rights of individual parents/guardians with respect to controversial materials used by their own children. It will provide for the reevaluation of materials in library collections upon formal request. On the other hand, students' right to learn and the freedom of teachers to teach shall be respected.

**PUBLIC CONCERNS/COMPLAINTS ABOUT  
TEACHING METHODS, ACTIVITIES OR PRESENTATIONS**

Policy KEF

Parents/guardians or citizens of the district shall be allowed to challenge the use of any teaching methods, activities or presentations but must express such objection through the following procedures:

1. The parent/guardian or patron with a concern is encouraged to meet with the appropriate teachers or other staff involved.
2. If not resolved with the teacher, the school principal shall hold a conference with the complainant. A written record shall be made of this meeting. Copies shall be supplied to all parties involved.
3. After the initial contact of the complainant with the school administrator, the teacher involved in the challenge shall be invited to attend any subsequent meetings. Written minutes shall be taken of subsequent meetings. Copies shall be supplied to all parties involved.
4. If the complainant is dissatisfied with the results of the conference(s), the principal shall inform the complainant of the following procedures and provide a copy of these procedures and the "Citizen's Challenge or Objection to Teaching Methods, Activities or Presentations" form to be acted upon by a review committee appointed by the superintendent.
5. Within ten (10) working days of receiving the completed challenge form, the principal shall forward it to the chair of the review committee together with a written report of the conference(s) held with the complainant.
6. Copies of the report also shall be sent to the superintendent, the complainant and the teacher involved.
7. One copy of the report shall be kept in the school file.
8. The principal shall provide the chair of the review committee with a copy or copies or description of the methods, activities or presentations, and the principal involved shall be given the opportunity to render a professional opinion on the appropriateness of the methods, activities or presentations utilizing supporting evidence.

9. The complainant shall be given the opportunity to render an opinion on the appropriateness of the material utilizing supporting evidence.
10. Within sixty (60) calendar days from receiving the completed and signed challenge form, a written recommendation of the review committee shall be forwarded to the superintendent and all parties in interest.
11. If the complainant or teacher involved is not satisfied with the recommendation of the review committee, he or she has the privilege of appealing to the superintendent and if necessary to the Board of Education.
12. If the same methods, activities or presentations are challenged at a future date, the principal and the chair of the review committee shall examine the previous decision in the light of additional points of view. If they find any significant difference in the new challenge, the committee again may review the methods, activities or presentations. Otherwise, the original decision shall stand and a copy of the final written recommendation of the committee and any Board action shall be sent to the complainant with an explanation that the methods, activities or presentations have been evaluated previously. If the complainant believes his or her challenge is different from the previous one or that significant new evidence exists, the complainant may appeal the decision to the review committee, superintendent or Board of Education.
13. Any party may be represented by counsel at any step of this procedure.

Nothing herein shall be deemed to modify or repeal any other district policy or regulation relative to rights and expression on the part of the professional staff or students.

### **VISITORS TO SCHOOLS**

#### Policy KI

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

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

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

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

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

### **PUBLIC CONDUCT ON DISTRICT PROPERTY**

#### Policy KFA

Persons using or upon school district property, including all district buildings, parking lots, and any district vehicle used to transport students, shall not engage in the conduct described below.

Any person considered by the superintendent or designee to be in violation of this policy shall be instructed to leave district property and law enforcement may be contacted. Any person who has engaged or district officials reasonably believe will engage in conduct prohibited by this policy may be excluded from district property.

The following conduct by any person is prohibited:

1. Any conduct that obstructs, disrupts or interferes with or threatens to obstruct, disrupt or interfere with, district operations or any activity sponsored or approved by the District.
2. Physical abuse or threat of harm to any person or school district property.
3. Damage or threat of damage to district property regardless of the location, or property of a member of the community when such property is located on district property.
4. Forceful or unauthorized entry to or occupation of district facilities, including both buildings and grounds.
5. Use, possession, distribution or sale of drugs and other controlled substances, alcohol and other illegal contraband on district property, at District or school-sponsored functions, or in any district vehicle transporting students. For purposes of this policy, "controlled substances" means drugs identified and regulated under federal law, including but not limited to marijuana, cocaine, opiates, phencyclidine (PCP) and amphetamines (including methamphetamine).

If, however, the administration of medical marijuana is in accordance with the District's policy on administration of medical marijuana to qualified students, such possession shall not be considered a violation of this policy.

6. Distribution, manufacture or sale of controlled substances or the possession of controlled substances with intent to distribute them within 1,000 feet of the perimeter of school grounds.
7. Entry onto district buildings or grounds by a person known to be under the influence of alcohol or a controlled substance.
8. Unlawful use of any tobacco product.
9. Possession of a deadly weapon on school property or in school buildings, unless such possession is in accordance with C.R.S. [18-12-105.5](#) or [18-12-214](#)(3). This prohibition does not apply to law enforcement or security employed by the district.

For purposes of this policy, "deadly weapon" means:

- a. a firearm, whether loaded or unloaded;
  - b. a fixed blade knife with a blade that exceeds three inches in length;
  - c. a spring-loaded knife or pocket knife with a blade exceeding three and one-half inches in length; or
  - d. any object, device, instrument, material, or substance, whether animate or inanimate, that is used or intended to be used to inflict death or serious bodily injury including, but not limited to, a BB gun, a slingshot, bludgeon, nun chucks, brass knuckles or artificial knuckles of any kind.
10. Profanity or verbally abusive language.
  11. Violation of any federal, state or municipal law or District policy.