



10850 East Woodmen Road • Falcon, CO 80831
Tel: 719-495-3601 • Fax: 719-495-0832

Mission Statement

To prepare students, in a safe and caring environment, to be successful, competent and productive citizens in a global society.

ANNOUNCEMENT/NOTICE

BOARD OF EDUCATION WORK SESSION

August 28, 2013

6:30 p.m.

Education Service Center – Board Room

PURPOSE:

1. Revision of policies: JIC, Student Conduct; JICA, Student Dress Code; JICC, Student conduct in School Vehicles; JICDA, Code of Conduct; JICDD, Violent and Aggressive Behavior; JICH and regulation JICH-R, Drug and Alcohol Involvement by Students; JICI, Weapons in School; JIH, Student Interviews, Interrogations, Searches and Arrests; JK and regulation JK-R, Student Discipline; JKBA and JKBA-R, Disciplinary Removal from Classroom; JKD/JKE, Suspension/Expulsion of Students (and Other Disciplinary Interventions); JKG, Expulsion Prevention; and JS, Student Use of the Internet and Electronic Communications
2. Review specifics and implications of Policy JICJ, Use of Electronic Communication Devices
3. Policy for Guest Users
4. Chief Performance Review Process
5. Preview of Board of Education Meeting Dates for 2014
6. Mid-monthly Chief's report
 - 6.5 T-CAP Data
7. MOU (Memorandum of Understanding) with American Red Cross
8. Update on Diversity and Recruiting Practices
9. Proposed Agenda Formatting and Board Minutes Protocol

DATE OF POSTING: August 26, 2013

Donna Teubner
Executive Assistant



BOARD OF EDUCATION AGENDA ITEM 1

BOARD MEETING OF:	August 28, 2013
PREPARED BY:	Peter Hilts
TITLE OF AGENDA ITEM:	Discussion of Recommended Revisions to Policies: <ul style="list-style-type: none"> • JIC, Student Conduct; • JICA, Student Dress Code; • JICC, Student conduct in School Vehicles; • JICDA, Code of Conduct; • JICDD, Violent and Aggressive Behavior; • JICH and regulation JICH-R, Drug and Alcohol Involvement by Students; • JICI, Weapons in School; • JIH, Student Interviews, Interrogations, Searches and Arrests; • JK and regulation JK-R, Student Discipline; • JKBA and JKBA-R, Disciplinary Removal from Classroom; • JKD/JKE, Suspension/Expulsion of Students (and Other Disciplinary Interventions); • JKG, Expulsion Prevention; and • JS, Student Use of the Internet and Electronic Communications
ACTION/INFORMATION/DISCUSSION:	Discussion

BACKGROUND INFORMATION, DESCRIPTION OF NEED: Policy revisions recommended by CASB and administration to comply with Colorado HB 12-1345 which obligates school districts to ensure they have uniform, fair and consistent conduct and discipline policies in place.

RATIONALE:

RELEVANT DATA AND EXPECTED OUTCOMES:

RELATIONSHIP TO THE VISION/MISSION OF THE DISTRICT GOALS ADDRESSED:

Student Achievement and Performance		Staff Empowerment and Support	<u>X</u>
Parent/Community Engagement		Social and Ethical Responsibility	<u>X</u>
Operational Efficiency and System Effectiveness	<u>X</u>		

FUNDING REQUIRED: Yes ___ No X

AMOUNT BUDGETED: N/A

RECOMMENDED COURSE OF ACTION/MOTION REQUESTED: I move to add policy revisions listed in agenda item 9.01, as recommended by administration and amended in this discussion, to an action item at the next regular board meeting.

APPROVED BY: Peter Hilts, CEO

DATE: August 16, 2013



Title	Student Conduct
Designation	JIC

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

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

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

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

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

~~The Chief Education Officer/Innovation Leaders or designee shall arrange to have~~ The conduct and discipline code **shall be provided** ~~distributed~~ to each student **upon enrollment** in elementary, middle, and high school ~~and each new student in the District~~. The Chief Education Officer/Innovation Leaders shall ~~ensure~~ **take** reasonable measures ~~are taken~~ to ensure each student is familiar with the code. Copies shall be posted or kept on file in each school of the District and posted on the District web site. In addition, any significant change in the code shall be **provided** ~~distributed~~ to each students and posted in each school.

In all instances, students shall be expected to conduct themselves in keeping with their level of maturity, acting with due regard for the supervisory authority vested by the Board in all District employees, the educational purpose underlying all school activities, the widely shared use of **district school** 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 ~~established rules of conduct~~ **and discipline code**.

- Adopted: May 19, 1994
- Revised: August 10, 2000
- Revised: August 12, 2010
- Revised: October 27, 2011
- Revised: July 27, 2012
- **Revised: September 12, 2013**

LEGAL REFS:

- **C.R.S. 22-11-302 (1)(f) (*district accountability committee shall provide input to the board regarding the creation and enforcement of the conduct and discipline code*)**
- C.R.S. 22-32-109.1 (2) (*policy required as part of safe schools plan*)



- C.R.S. 22-32-109.1 (2)(a) (*school district shall take reasonable measures to familiarize students with the conduct and discipline code*)
- C.R.S. 22-33-106 (1)(a-g) (*grounds for suspension, expulsion, and denial of admission*)

CROSS REFS:

- GBGB, Staff Personal Security and Safety JIC subcodes (all pertain to student conduct)
- JK, Student Discipline, and subcodes

Title	Student Dress Code
Designation	JICA

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

Any student deemed in violation of the dress code shall be required to change into appropriate clothing or make arrangements to have appropriate clothing brought to school immediately.

If the student cannot promptly obtain appropriate clothing on the first offense, an administrator shall request the student change into loaned clothing, if available, and notify the student's parent/guardian. On the second offense a more serious consequence will be administered, and a conference with the parent/guardian shall be held. On the third offense, parents will be contacted, and the student may be subject to suspension or other disciplinary action **in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.** ~~as outlined in the school discipline code.~~ Classes missed as a result of clothing related offenses are considered excused, however, the student may be required to make up class time missed.

Unacceptable items

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

1. Shorts, dresses, skirts, or other similar clothing shorter than mid-thigh length
2. Sunglasses, hats, or scarves (do-rags) on the head worn inside the building
3. Inappropriately sheer, tight, or low-cut clothing (e.g., midriffs, halter tops, backless clothing, tube tops, garments made of fishnet, mesh, or similar material, muscle tops, etc.) that bare or expose traditionally private parts of the body including, but not limited to, the stomach, buttocks, back, chest, and breasts, or permits undergarments to be exposed
4. Tank tops or other similar clothing with straps narrower than 2 inches in width
5. "Sagging" pants and/or wallet chains.
6. Any clothing, paraphernalia, grooming, jewelry, hair coloring, accessories, or body adornments that are or contain any advertisement, symbols, words, slogans, patches, or pictures that:
 - Refer to drugs, tobacco, alcohol, or weapons
 - Are of a sexual nature
 - By virtue of color, arrangement, trademark, or other attribute, denote membership in gangs that advocate drug use, violence, or disruptive behavior
 - Are obscene, profane, vulgar, lewd, or legally libelous
 - Threaten the safety or welfare of any person
 - Promote any activity prohibited by the student code of conduct



- Create a safety hazard for the student or others
- Otherwise disrupt the teaching-learning process

Exceptions

The district respects the diversity of its students. Administration may make exceptions to this policy based on religious or medical grounds.

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

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

- Adopted: November 3, 1977
- Rescinded: January 2, 1985
- Re-adopted: date of manual revision
- Revised: May 19, 1994
- Revised: September 7, 2000
- Revised: July 8, 2010
- Revised: July 21, 2011
- Revised: July 27, 2012
- **Revised: September 12, 2013**

LEGAL REFS:

- C.R.S. 22-32-109.1 (2)(a)(I)(J) (*boards duty to adopt student dress code*)

CROSS REFS:

- IMDB, Flag Displays
- JBB, Sexual Harassment
- JIC, Student Conduct
- JICDA, Code of Conduct
- JICF, Secret Societies/Gang Activities
- JICH, Drug and Alcohol **Involvement** Use by Students
- JICI, Weapons in School
- JK, Student Discipline
- JKD/JKE, Suspension/Expulsion of Students



Title	Student Conduct on Buses
Designation	JICC (EEAEC/JICC)

The privilege of riding a school bus is contingent upon paying a fee. Students are also required to exhibit good behavior and observance of the student code of conduct and established regulations at bus stops and on board buses.

The driver of a school bus shall be responsible for the safety of the students on the bus, both during the ride and while students are entering or leaving the vehicle. Therefore, it is the bus driver's duty to notify the Director of Transportation or designee and the principal of the school involved if any student persists in violating the established rules of conduct. Students are required to pay the fee while suspended from the bus.

After due warning has been given to the student and to parents/guardians, the bus driver may withhold from the student the privilege of riding the school bus. All efforts will be made to work with the Transportation Student Management Liaison and the school. The student may also be denied admission to school, suspended, or expelled in accordance with established policies including discipline of habitually disruptive students for flagrant violation of school bus rider conduct ~~rules regulations~~ or conduct detrimental to the safe operation of the bus.

- Adopted: November 3, 1977
- Adopted: May 17, 1984
- Revised: October 12, 1989
- Revised to conform with practice: date of manual revision
- Revised: May 19, 1994
- Revised: March 4, 1999
- Revised: August 10, 2000
- Revised: September 7, 2000
- Revised: May 13, 2010
- Revised: Temporary Revision: August 11, 2011
- Revised: August 24, 2011
- **Revised: September 12, 2013**

LEGAL REFS:

- C.R.S. 22-32-109.1 (a)(I)(b) (*discipline code to address conduct on school vehicles*)
- C.R.S. 42-1-102 (88.5) (*definition of school vehicle which includes a school bus*)

CROSS REFS:

- JIC, Student Conduct and subcodes
- JK, Student Discipline



Title	Code of Conduct
Designation	JICDA

In accordance with applicable law and Board policy concerning student suspensions, expulsions and other disciplinary interventions, the principal or designee may suspend or recommend expulsion of a student who engages in one or more of the following specific activities while in school buildings, on school grounds, in school vehicles, or during a school-sponsored or district-sponsored activity or event and off district school property when the conduct has nexus to school or any district curricular or non-curricular event.

[REVISION NOTE: THE FOLLOWING LIST IS REORDERED TO CONFORM WITH THE CASB SAMPLE POLICY TO FACILITATE COMPARISON AND FUTURE REVISIONS. NUMBERING REVISIONS ARE INDICATED WITH A DOUBLE UNDERLINE OF THE FIRST WORD.]

1. Causing or attempting to cause damage to ~~district school~~ property or stealing or attempting to steal ~~district school~~ property of value.
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** ~~others~~ that precipitate disruption of the 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 ~~immediate~~ effect on the ~~district school~~ or on the general safety or welfare of students or staff.
10. Violation of **any Board** ~~district's~~ policy or building regulations.
11. Violation of the district's policy on weapons in the schools. Expulsion shall be mandatory for using or possessing a firearm in accordance with state law.
12. Violation of the **Board's** ~~district's alcohol use/drug abuse~~ policy on student conduct involving drugs and alcohol.
13. Violation of the **Board's** ~~district's~~ violent and aggressive behavior policy.
14. Violation of the **Board's** ~~district's~~ tobacco-free schools policy.
15. Violation of the **Board's** ~~district's~~ **policies prohibiting** ~~on~~ sexual or other harassment.
16. Violation of the **Board's** ~~district's~~ policy on nondiscrimination.
17. Violation of the **Board's** ~~district's~~ dress code policy.
18. Violation of the **Board's** policy on gangs and gang-like activity.
19. Throwing objects, unless part of a supervised school activity, that can **or do** cause bodily injury or damage to property.
20. Directing profanity, vulgar language, or obscene gestures toward other students, school personnel, or ~~others visitors to the school~~.
21. Lying or giving false information, either verbally or in writing, to a ~~district school~~ 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 which~~ is detrimental to the welfare, safety, or morals 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 school'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 school~~ staff.

This is not an all-inclusive list of things that a student can be suspended or expelled for.

- Adopted: May 19, 1994
- Revised: August 3, 1998
- Revised: September 3, 1998
- Revised: September 2, 1999
- Revised: August 14, 2003 (emergency)
- Revised: September 4, 2003
- Revised: July 8, 2010
- Revised: July 21, 2011
- Revised: July 27, 2012
- **Revised: September 12, 2013**

LEGAL REFS:

- ~~C.R.S. 12-22-303 (7) (definition of controlled substance)~~
- C.R.S. 18-3-202 *et seq.* (offenses against person)
- C.R.S. 18-4-301 *et seq.* (offenses against property)
- C.R.S. 18-9-124 (2)(a) (prohibition of hazing)
- C.R.S. 22-12-105 (3) (authority to suspend or expel for false accusations)
- C.R.S. 22-32-109.1(2)(a)(l) (duty to adopt policies on student conduct, safety and welfare)
- C.R.S. 22-32-109.1(2)(a)(I) (policy required as part of safe schools plan)
- C.R.S. 22-32-109.1(9) immunity provisions in safe schools law)
- C.R.S. 22-33-106 (1)(a-g) (grounds for suspension, expulsion, denial of admission)

CROSS REFS:

- AC, Nondiscrimination/Equal Opportunity
- ADC, Tobacco-Free Schools
- ADD, Safe Schools
- ECAC, Vandalism
- GBGB, Staff Personal Security and Safety
- JBB*, Sexual Harassment
- JIC, Student Conduct, and subcodes
- JICC, Student Conduct on School Buses



- JICDD*, Violent and Aggressive Behavior
- JICDE*, Bullying Prevention and Education
- JICF, Secret Societies/Gang Activity
- JICH, Drug and Alcohol Use by Students
- JICI, Weapons in School
- JK, Student Discipline, and subcodes
- JKD/JKE, Suspension/Expulsion of Students

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

Title	Violent and Aggressive Behavior
Designation	JICDD

The Board of Education recognizes there are certain behaviors that, if tolerated, would quickly destroy the type of learning environment to which the students and staff of the district are entitled. These behaviors, categorized as violent or aggressive, will not be tolerated and shall result in immediate action taken by the district.

As appropriate and in accordance with applicable law, students exhibiting violent or aggressive behavior or warning signs of future violent or aggressive behavior shall be subject to appropriate disciplinary action including suspension, expulsion and/or referral to law enforcement authorities. At the district's discretion and when appropriate, the student ~~may shall~~ receive appropriate intervention designed to address the problem behavior. ~~The Board shall be informed of all intervention efforts by district schools.~~

Students shall be taught to recognize the warning signs of violent and aggressive behavior and shall report questionable behavior or potentially violent situations to appropriate school officials. All reports shall be taken seriously.

Acts of violence and aggression shall be well documented and communicated by the staff to the building principal and the district administration when appropriate. The immediate involvement of the **student's** parents/guardians is also essential. ~~Law enforcement officials shall be involved if there is any violation of law.~~

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.

The following behaviors are defined as violent and aggressive:

1. Possession, threat with, or use of a **dangerous** weapon as described in the **Board's District's** weapons policy.
2. Physical assault. The act of striking or touching a person or a 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, orally (including by telephone) or in writing, at an individual, his or her family, or a group.
4. Intimidation. An act intended to frighten or coerce someone into submission or obedience.
5. Extortion. The use of verbal or physical coercion in order to obtain financial or material gain from others.
6. Bullying. As described in the **Board's District's** policy on bullying prevention and education.
7. Gang activity as described in the **Board's District's** secret societies/gang activity policy.
8. Sexual harassment **or other forms of harassment** as described in the **Board's 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 race, sex, sexual orientation, religion, national origin, disability 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.



- Adopted: July 12, 2001
- Revised: April 28, 2010
- Revised: July 21, 2011
- **Revised: September 12, 2013**

LEGAL REFS:

- C.R.S. 22-32-109.1 (1)(b) (definition of bullying)

CROSS REFS:

- **AC, Nondiscrimination/Equal Opportunity**
- JBB*, Sexual Harassment
- JICDA, Code of Conduct
- JICDE, Bullying Prevention and Education
- JICF, Secret Societies/ Gang Activity
- JICI, Weapons in School

Title	Drug and Alcohol <u>Involvement</u> Use by Students
Designation	JICH

Falcon School District #49 shall promote a healthy environment for students by providing education, support, and decision-making skills in regard to alcohol, drugs, and other controlled substances and their abuse. In order to accomplish this goal, a cooperative effort must be made among the schools, parents/guardians, community, and its agencies.

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

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, medicine, vitamin, or other chemical substances not taken in accordance with the Board policy and regulations on administering medicines to students.

This policy also includes substances that are represented by or to 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 who is on school property, in attendance at school, in a school vehicle, or taking part in any-school sponsored or sanctioned activity or whose conduct at any time or place interferes with the operations of the district or the potential 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.

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

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

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

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

Drug and Steroid Use in Athletics

No student athlete shall use or distribute alcohol, drugs, or tobacco products while eligible to participate in athletics. This policy shall be in effect when a student athlete begins participation and shall remain in force for the duration of an athlete's competitive time in the District. The penalties for violation of this policy shall be



established and shall be in addition to any penalties imposed for violation of District-wide Board policies regarding use of drugs, alcohol or tobacco.

The District shall provide all students/ and parents/guardians a copy of this policy and its accompanying procedures on an annual basis in the Student Conduct and Discipline Code Book. The Student Conduct and Discipline Code Book is also available on the District web site, www.d49.org. Books will be distributed at the beginning of each school year.

- Adopted: January 23, 1986
- Revised: May 19, 1994
- Revised: August 10, 2000
- Revised: July 26, 2005
- Reviewed: March 24, 2010
- Revised: July 8, 2010
- Revised: July 27, 2012
- **Revised: September 12, 2013**

LEGAL REFS:

- 20 U.S.C. §3221 (defines drug abuse education and prevention)
- 20 U.S.C. §7116 (Safe & Drug-Free Schools and Communities Act of 1994)
- C.R.S. 18-18-102 (5) (definition of “controlled substance”)
- C.R.S. 18-18-407 (2) (crime to sell, distribute or possess controlled substance on or near school grounds or school bus)
- C.R.S. 22-1-110 (instruction related to alcohol and drugs)
- C.R.S. 22-32-109.1 (2)(a)(I)(G) (policy required as part of safe schools plan)
- C.R.S. 22-33-106 (1)(d) (suspension or expulsion discretionary for the sale of a drug or controlled substance)

CROSS REFS:

- IHAMA, Teaching about Drugs, Alcohol and Tobacco
- JIH, Student Interrogations, Searches, and Arrests
- JKD/JKE, Suspension/Expulsion of Students
- JLCD, Administering Medicines to Students

Title	Drug and Alcohol <u>Involvement</u> Use by Students
Designation	JICH-R

In accordance with the accompanying policy, the following procedures are established for disciplining students for alcohol- or drug-related misconduct.

Definitions

Controlled substance “Controlled substance” means a drug, substance, or an immediate precursor included in Schedules I through V of C.R.S. 18-18-203 through 207, including but not limited to the following:

Schedules I and II:	cocaine, codeine, heroin, LSD, morphine, marijuana, opiate derivatives, amphetamines (non-prescription), methamphetamines (speed, crack, meth, go-fast)
Schedules III and IV:	anabolic steroids, prescription drugs (without a prescription), illegally obtained prescription drugs with limited physical dependency
Schedule V:	Substances with low potential for abuse

Drugs “Drugs” include, but are not limited to, narcotic drugs, hallucinogenic or mind-altering drugs or substances, amphetamines, barbiturates, stimulants, depressants, marijuana, anabolic steroids, and any other controlled substances as defined in state law. Drugs also include counterfeit drugs and substances falsely represented as being drugs.

Illegal drugs “Illegal drugs” are all drugs not defined herein as legal drugs.

Legal drugs “Legal drugs” are defined as over-the-counter and prescription drugs, including vitamins and other dietary supplements that are properly possessed and used by the person for whom they are intended in accordance with Board policy and regulations.

Possession To “possess” or to “be in possession” means to have alcohol, drugs (an amount sufficient to test without destroying the same), other controlled substances and/or drug paraphernalia on one’s person or in one’s personal property, automobile, or other vehicle, or in one’s locker, desk, or other school-provided storage area.

Purchasing, selling, sale The words “purchasing,” “selling,” and “sale” refer to a student’s involvement in the exchange of drugs, legal or illegal, or alcohol for anything of value, including but not limited to money, commodities, or services. There need be no use or intent to use the drugs or alcohol involved in the sale.

Under the influence Being “under the influence” means when a student’s comportment, behavior, condition, speech, or appearance is affected by or evinces prior use of alcohol, drugs, or other controlled substances, or there is a detectable level of alcohol, drugs, or controlled substances in the student’s blood or urine.

Use, possession, and/or purchase

1. When a student is suspected of use, possession, and/or purchase, the person having the suspicion should 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 must comply with the Board policy on interrogations and searches.
 - a If information is not sufficient to warrant further action, the principal or designee may have a personal conference with the student expressing awareness and concern.
 - b If information warrants, the parent/guardian will be requested to attend a conference at school. The conference may include sharing the data collected, explaining consequences of involvement with drugs/alcohol, developing a plan of action, and offering the parent or guardian general information and resources related to substance abuse.



2. When necessary, emergency health and safety care will be provided and any procedural or disciplinary issues postponed until the student's immediate needs are treated. While waiting for the parent/guardian or further medical aid, the student will not be left alone but placed in a quiet situation where he will remain under observation.
3. Students who possess alcohol, drugs, other controlled substances, or drug-containing paraphernalia in violation of Board policy will be handled in the following manner:
 - a A staff member who comes in contact with evidence and/or contraband must notify the principal or designee immediately.
 - b A staff member who has reasonable suspicion to believe that a student possesses alcohol, any controlled substance, or drug-containing paraphernalia in violation of Board policy will request that the student accompany him to the principal or designee. If the student refuses, the staff member will notify the principal or designee immediately.
 - c The principal or designee will attempt to obtain evidence by requesting it directly from the student or through search procedures as outlined in Board policy.
 - d 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 secured.
 - e The principal or designee will call appropriate law enforcement officials in each instance of possession or sale of controlled substances by a student. A mutual decision will be made as to retention of the contraband by the school or testing by the authorities.
 - f When there is evidence of a student possessing illegal drugs, the student will be suspended and the parent/guardian notified.
4. The possession, use, distribution, sale, or purchase of marijuana (in excess of one ounce) or of any amount of any other Schedule I or Schedule II controlled substance or paraphernalia for any Schedule I or II controlled substance shall be grounds for mandatory suspension and expulsion from school and school related activities for up to one calendar school year. In addition, school personnel shall file charges against the student with appropriate law enforcement officials.

First offense for use, possession, and/or purchase of alcohol, marijuana (of not more than one ounce), or any amount of Schedule III, IV, or V controlled substance; the use, possession, distribution, and/or purchase of drug paraphernalia for Schedule III, IV, or V controlled substance:

1. The student will receive three (3) to five (5) days out-of-school suspension for the first offense within any three-year period, and a parent/guardian conference will be scheduled prior to readmission.
2. Parent/guardian and student will be provided information concerning voluntary drug and alcohol treatment programs.
3. The principal or designee will attempt to develop a remedial discipline plan with the parent/guardian and the student that will outline the responsibilities of the parent/guardian, the student, and the school in an effort to keep any further offenses from occurring.

Second offense for use, possession, and/or purchase of alcohol, marijuana (of not more than one ounce), or any amount of Schedule III, IV, or V controlled substance; or drug paraphernalia for Schedule III, IV, or V controlled substances:

1. The student shall be suspended from school for ten days upon the second offense within any three-year period.
2. Parent/guardian and student will be provided information concerning voluntary drug and alcohol treatment programs.
3. With the parent/guardian and the student, the principal or designee will attempt to update the remedial discipline plan drafted after the first offense.

Third offense for use, possession, and/or purchase of alcohol, marijuana (of not more than one ounce), or any amount of Schedule III, IV, or V controlled substance; or drug paraphernalia for Schedule III, IV, or V controlled substances:

1. **District or school administrators will recommend** the student ~~will be recommended~~ for expulsion.
2. Information concerning voluntary drug or alcohol treatment programs will be given to the student and the parent/guardian. The principal or designee will require evidence of the student's enrollment and/or participation in a voluntary program prior to the student's readmission to school.
3. **District or school administrators will notify** appropriate law enforcement. ~~officials will be notified.~~

Distribution

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

1. If an employee witnesses an act in which alcohol, drugs, other controlled substances, or drug-containing paraphernalia are being transferred from one student to another, the staff member will immediately attempt to detain the student and request that the student accompany the staff member to the principal or designee. If the student refuses, the staff member will notify the principal or designee immediately.
2. The principal or designee will attempt to obtain evidence by requesting it directly from the student or through search procedures in accordance with Board policy.
3. Any student who distributes, trades, exchanges, or sells Schedule I or II controlled substances or marijuana (more than one ounce) shall be expelled for up to one calendar year.
4. Information concerning voluntary drug or alcohol counseling or treatment programs will be given to the student and the parent/guardian.
5. Any student who distributes Schedule III controlled substances shall be expelled for one calendar year.
6. Distribution or sale of Schedule IV or V controlled substances shall be grounds for suspension and optional expulsion, depending on the nature of the violation.
7. **District or school administrators will notify** appropriate law enforcement. ~~officials will be notified.~~

Use, possession, distribution, and/or purchase of drug paraphernalia

First offense: Student shall be suspended for five (5) days; building administrators shall develop a remedial discipline plan with the student and provide student and parents/guardian with information on drug counseling and treatment.

Second offense: Student shall be expelled for up to one calendar year, but if student provides verification that he/she is receiving drug counseling or treatment, the student may be allowed to re-enroll after one semester of expulsion, but the remainder of the expulsion period, if any, will remain in effect and may be imposed in the event of future infractions.

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

Drug and Steroid Use in Athletics

No student athlete shall use or distribute alcohol, drugs, or tobacco products while eligible to participate in athletics. This policy shall be in effect when a student athlete begins participation and shall remain in force for the duration of an athlete's competitive time in the District.

The penalties for violation of this policy shall be as follows and shall be in addition to any penalties imposed for violation of District-wide Board policies regarding use of drugs, alcohol, or tobacco.

First offense



The student athlete shall be removed from competition for nine (9) days. During that time, the student athlete shall remain with the team in practice and contests but shall not play in a contest.

Parents shall be involved at this stage to help the student athlete change his/her behavior to conform to the policy.

Second offense

The student athlete shall be suspended from athletic participation for one calendar year.

The student athlete and his/her parents may petition the activities director for reinstatement if the student athlete has successfully completed a drug, alcohol, or tobacco rehabilitation program.

Third offense

The student athlete shall be denied the privilege of participating in interscholastic competition for the remainder of his/her career in Falcon School District.

No appeals shall be allowed and there shall be no pardon.

- Approved: September 10, 1987
- Revised: May 19, 1994
- Revised: August 10, 2000 (emergency approval)
- Revised: July 26, 2005
- Reviewed: March 24, 2010
- Revised: July 8, 2010
- **Revised: September 12, 2013**



Title	Weapons in School
Designation	JICI

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

Dangerous weapons

~~Carrying, bringing, or~~ Using, or 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 any school sponsored or district sponsored activity or event and off district property when the conduct has a reasonable connection to school or any district curricular or non-curricular event without the authorization of the school or the district is prohibited. An exception to this policy may be made for students participating in an authorized extracurricular activity or team involving the use of firearms.

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

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

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

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

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

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 district 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 district is prohibited. Students who violate this policy provision may be subject to disciplinary action including but not limited to suspension and/or expulsion, **in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.**



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

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

Local restrictions

The Board determines that extra precautions are important and necessary to provide for student safety. Therefore, using, possessing **or threatening to use** any knife, regardless of the length of the blade, in any school building, on school grounds, in any school vehicle, or at any school-sponsored activity without express authorization **of the school or school district** is prohibited. Students who violate this policy **provision** shall be **subject to** ~~referred for appropriate~~ disciplinary proceedings, **including suspension and/or expulsion, in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.**

Recordkeeping

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

Referral to law enforcement

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

- Adopted: May 19, 1994
- Revised: April 20, 1995
- Revised: July 20, 1995
- Revised: September 2, 1999
- Reviewed: August 10, 2000
- Revised: July 8, 2010
- Revised: June 30, 2011
- Revised: July 27, 2012
- **Revised: September 12, 2013**

LEGAL REF:

- 18 U.S.C. §921 (a)(3) (*federal definition of "firearm"*)
- 20 U.S.C. §8921 *et seq.* (*Gun-free Schools Act*)

- 20 U.S.C. §7151 (h) *(requiring schools to have policies requiring referral to law enforcement)*
- ~~C.R.S. 18-1-901 (3)(h) *(state law definition of "firearm")*~~
- C.R.S. 22-32-109.1 (2)(a)(I)(G) *(policy required as part of safe schools plan)*
- C.R.S. 22-33-102 (4) *(definition of dangerous weapon)*
- C.R.S. 22-33-106 (1) *(grounds for suspension, expulsion, and denial of admission)*
- C.R.S. 22-33-106 (1)(f) *(must adopt policy regarding firearm facsimiles)*

CROSS REF:

- JK-2, Discipline of Students with Disabilities
- JKD/JKE, Suspension/Expulsion of Students
- KFA, Public Conduct on School Property

NOTE: As a condition of receiving federal funds the school district is required to expel for one calendar year students who bring firearms to school. The district is required to include a description of the circumstances surrounding these expulsions, the name of the school concerned, the number of students expelled and the types of weapons.

The language allowing the Chief Education Officer Superintendent to modify the length of expulsion on a case-by-case basis is intended to permit the district to discipline students with disabilities and maintain eligibility for federal financial assistance. It is important to note that federal law requires that educational services must continue although they may be provided in another setting for students with disabilities who are properly expelled.

Title	Student Interviews and Searches
Designation	JIH

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

Definitions

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

Interviews ~~Interrogations~~ and Searches by School Administrators

When a violation of Board policies 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~~

A	In situations where a student is suspected of violating Board policies or school rules which may result in suspension or expulsion, the principal or designee(s) may not interview interrogate the suspected student(s) without making a reasonable attempt to have the student(s) parent/guardian present. The nature and extent of the questioning must be related to the objectives of the questioning. If the student denies any involvement or culpability, the student will have the opportunity to present his/her side of the story, orally and/or in writing.
B	In situations where a student is suspected of violating Board policies or school rules, which may result in suspension or expulsion, the principal or designee(s) may not interview interrogate the suspected student(s) without making a reasonable attempt to have the student(s) parent/guardian present. the principal or designee may interview interrogate the suspected student if the school official has reasonable suspicion grounds to suspect that such a violation has occurred. The nature and extent of the questioning must be related to the objectives of the questioning. If the student denies any involvement or culpability, the student will have the opportunity to present his/her side of the story, orally and/or in writing.

Searches conducted by school personnel

School personnel may search a student and/or the student's personal effects 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 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.

- Adopted: November 3, 1977
- Revised: January 23, 1986
- Revised to conform to practice: date of manual revision
- Revised: May 19, 1994
- Revised: September 2, 1999
- Reviewed: August 10, 2000
- Revised: July 8, 2010

LEGAL REF:

- C.R.S. 19-2-511 *et seq.*
- C.R.S. 22-32-109.1 (2)(a)(I)(I) (*policy required as part of safe schools plan*)

CROSS REF:

- JIHB, Parking Lot Searches
- JK, Student Discipline, and subcodes

Title	Student Discipline
Designation	JK

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

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

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

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

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

Immunity for enforcement of discipline code

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

A teacher or any other person acting in good faith and in compliance with the discipline code adopted by the Board may be immune from civil liability unless the person is acting willfully or wantonly.

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 ~~a school vehicle~~, or at ~~a school activity activities~~ or events. The goal of the remedial plan shall be to address the student's disruptive behavior and educational needs while keeping the child in school.

Discipline of habitually disruptive students

Students who caused a material and substantial disruption in the classroom, on school grounds, in ~~a school vehicle~~, or at ~~a school activity activities~~ or sanctioned events three **or more** times during the **course of a** school year ~~may shall~~ be declared habitually disruptive students. Any student enrolled in the district's schools may be subject to being declared a habitually disruptive student. Declaration as a habitually disruptive student



shall ~~may~~ result in the student's **suspension and/or expulsion in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.**

Discipline of special education students

Appropriate discipline for special education students shall be in accordance with the student's individual education plan (IEP), any behavior intervention plan, and policy JK-2, Discipline of Students with Disabilities. In order to comply with all state and federal laws, the special education director shall be contacted prior to the use of any disciplinary measure which is not authorized by the student's IEP or behavior intervention plan.

Distribution of conduct and discipline code

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

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

- Adopted: date of manual adoption
- Revised: August 16, 1984
- Revised: May 19, 1994
- Revised: August 13, 1998
- Revised: August 10, 2000
- Revised: July 10, 2003
- Revised: February 15, 2006
- Revised: February 11, 2010
- Revised: June 30, 2011
- Revised: July 27, 2012
- **Revised: September 12, 2013**

LEGAL REFS:

- C.R.S. 18-6-401 (1) (*definition of child abuse*)
- **C.R.S. 22-11-302 (1)(f) (*district accountability committee shall provide input to the board regarding the creation and enforcement of the conduct and discipline code*)**
- C.R.S. 22-32-109.1 (2)(a) (*adoption and enforcement of discipline code*)
- C.R.S. 22-32-109.1 (2)(a)(I) (*school district shall take reasonable measures to familiarize students with the conduct and discipline code*)
- C.R.S. 22-32-109.1 (2)(a)(I)(C) (*discipline of habitually disruptive students is required part of **the conduct and discipline code*** ~~safe schools plan~~)
- C.R.S. 22-32-109.1 (9) (*immunity provisions in safe schools law*)
- C.R.S. 22-33-106 (1) (*grounds for suspension, expulsion, and denial of admission*)
- C.R.S. 22-33-106 (1)(c.5) (***definition of a habitually disruptive students***)



CROSS REF:

- JIC, Student Conduct, and subcodes
- JK subcodes (all relate to student discipline)
- JRA/JRC, Student Records/Release of Information on Student

Title	Student Discipline
Designation	JK-R

Disciplinary Information

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

In addition, to make sure that the information communicated is accurate, state law gives students and parents/guardians the right to challenge disciplinary information.

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

1. The Principal will prepare a brief written statement which sets forth the information to be communicated to a teacher or counselor pertaining to an individual student. If disciplinary information regarding a disabled student is transmitted, the current IEP must also be included. The statement will indicate it is a confidential document. The source of the information will be noted, if applicable.
2. The Principal will communicate the information in the statement to the teacher or counselor by providing a copy of the statement. Alternatively, the principal or designee may wait until the student or parent/guardian has had a chance to challenge the content of the statement before communicating the statement to any teachers or counselors. The teacher/counselor and principal or designee may discuss the information in the statement. The principal or designee will record the names of all individuals who are given a copy of the statement.
3. A copy of the written statement will be provided to the student and the student's parent/guardian. However, if a student is 18 years old or older, the student may inspect his or her personal records and written permission will be necessary in order for the parent/guardian to receive them. Such student 18 years old or older will be known as an eligible student.
4. The Principal or designee will take steps to see that the parent/guardian of a student under 18 years of age receives a copy of the statement, either by mailing a copy directly to them and/or alerting them to the fact that the statement has been sent to them, either by sending it home with their child or in the mail.
5. The written statement will indicate that the student and/or parent/guardian may challenge the accuracy of the disciplinary information on the basis that it is inaccurate, false or misleading unless the statement is solely a summary of an incident for which the student and parent/guardian has already been afforded a due process hearing prior to imposition of school discipline. In that case, the challenge procedures do not apply.

Challenges

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



Step 1

A Step 1 review will be requested in writing within seven (7) days after receipt by the parent/guardian of the written statement. If the interested persons fail to file intent to challenge within seven (7) days after receiving a copy of the statement, the statement will stand as written and there will be no further opportunity to challenge that particular statement. If the student or parent/guardian challenges any part of the statement, the Principal should review the part of the statement being challenged and may, by mutual agreement with the person making the challenge, destroy, delete or add the information in question.

Step 2

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

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

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

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

Remedial discipline plans

1. The Principal may develop a plan for any student who causes a material and substantial disruption in the classroom, on school grounds, in school vehicles, or at school activities or events. The goal of the remedial plan shall be to address the student's disruptive behavior and educational needs while keeping the child in school.
2. To develop the plan, the Principal will arrange for a meeting with the student, the student's parent/guardian and any members of the staff whom the Principal believes should attend.
3. The purpose of the meeting will be to address the reasons for the student's disruptive behavior and to establish goals, objectives and timelines to modify such behavior. A written plan will be prepared which addresses the 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 is disruptive in violation of the plan.
4. The plan may be written in the form of a contract which the student and the parent/guardian will sign and date.



5. The parent/guardian will be provided a copy of the remedial discipline plan and it will be placed in the student's cumulative file.

Disruptive behavior by special education students will be dealt with in accordance with the student's Individual Education Plan (IEP), any behavior intervention plan and policy JK-2, Discipline of Students with Disabilities. It will be the responsibility of the Principal and other appropriate District personnel to coordinate these procedures with a special education student's IEP and any behavior intervention plan.

Habitually disruptive students

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

1. The Principal will inform the Innovation Leader and Chief Education Officer when a student causes a second material and substantial disruption.
2. The student and the 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" and the mandatory expulsion of such students.
3. A student who has been declared habitually disruptive ~~shall may~~ be suspended **and/or** expelled in accordance with Board policy ~~JKD/JKE~~. **concerning suspensions, expulsions and other disciplinary interventions.**

- Adopted: May 19, 1994
- Revised: August 13, 1998
- Revised: August 10, 2000
- Revised: February 15, 2006
- Revised: May 13, 2010
- Revised: June 30, 2011
- Revised: July 27, 2012
- **Revised: September 12, 2013**



Title	Disciplinary Removal from Classroom
Designation	JKBA

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

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

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

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

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

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

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

The Chief Education Officer or designee 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.

- Adopted: August 10, 2000
- Revised: February 15, 2006
- Reviewed: March 24, 2010
- Revised: June 30, 2011



- Revised: September 12, 2013

LEGAL REF:

- C.R.S. 22-32-109.1 (2)(a)(I)(B) (*policy required as part of **conduct and discipline code*** ~~safe school plan~~)

CROSS REF:

- JIC, subcodes (all pertain to student conduct)
- JK, Student Discipline, and subcodes

Title	Disciplinary Removal from Classroom
Designation	JKBA-R

Disciplinary Removal from Classroom

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

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

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

Informal removal from class

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 sending the student to the principal's office for a short period of time. Generally, the student will be allowed to return to his or her classroom later the same day. The procedures set forth below do not apply to an informal removal from class.

Formal removal from class

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

1. Conduct that is prohibited in the student code of conduct. ~~It should be noted that building administrators make decisions regarding suspension and the superintendent or designee makes recommendations for expulsion. Thus, a~~ A teacher's decision to remove a student from class for behavior covered by **board 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.
 - h. Loud, obnoxious, or outrageous behavior.
3. Conduct that otherwise interferes with the ability of the teacher to teach effectively. Students are required to cooperate with the teacher by listening attentively, obeying all instructions promptly, and responding appropriately when called upon. A student's noncompliance may, in turn, distract others either by setting a bad example or by diverting the class from the lesson to the student's inappropriate behavior. By way of example and without limitation, this behavior includes:
- a. Open defiance of the teacher, manifested in words, gestures, or other overt behavior
 - b. Open disrespect of the teacher, manifested in words, gestures, or other overt behavior
 - c. Other behavior likely to intended to sabotage or undermine classroom instruction

Procedures to be followed for formally removing a student from class

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

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

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

Notice to parent/guardian

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

Placement procedures

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

When the student arrives at the main office, the building principal or designee shall give the student an opportunity to briefly explain the situation. If the building principal or designee is not available immediately



upon the student's arrival, the student will be taken to the designated short-term removal area; and the principal or designee will speak to the student as soon as practicable.

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

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

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

Behavior plan

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

Removal for remainder of term

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

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

Review by principal

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

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



- Adopted: August 10, 2000
- Revised: February 15, 2006
- Revised: April 8, 2010
- **Revised: September 12, 2013**

Title	Suspension/Expulsion of Students (and Other Disciplinary Interventions)
Designation	JKD/JKE

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

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

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

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

Other disciplinary interventions

In lieu of an out-of-school suspension or expulsion and in accordance with applicable law, the principal or designee may consider the use of available interventions to address the student's misconduct. The use of such interventions will vary, depending upon the facts and circumstances of an individual case. Such interventions shall be at the principal's or designee's sole discretion and include but are not limited to referral to detention, in-school suspension, restorative justice programs, restitution plans, peer mediation, juvenile assessment, or other approaches consistent with school safety and security.

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

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

Nothing in this policy shall limit the Board's and its designees' authority to suspend and/or expel a student as deemed appropriate by the Board and its designees. The decision to suspend and/or expel a student instead of providing an alternative to suspension or expulsion or the failure of an intervention to remediate the student's behavior shall not be grounds to prevent the Board and its designees from proceeding with appropriate disciplinary measures, including but not limited to suspension and/or expulsion.

Delegation of authority

1. The Board delegates to the principal of the district or to a person designated in writing by the principal, in their absence, the power to suspend a student in that school for not more than five (5) 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 exhibit coded JKD/JKE-E), but the total period of suspension shall not exceed twenty-five (25) school days.
2. The Board delegates to the Chief Education Officer the authority to suspend a student, in accordance with C.R.S. 22-33-105, for an additional ten (10) school days plus up to and including an additional ten (10) days necessary in order to present the matter to the Board.
3. The Board delegates to the Chief Education Officer or designee who shall serve as hearing officer (appointed by the Chief Education Officer) to deny admission to or expel for any period not extending beyond one year any student whom the Board, 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. The hearing officer will inform the Chief Education Officer of the decision and will send a letter to the family within five (5) days informing them the decision and of their right to appeal. The family has seven (7) days to appeal in writing. If the family appeals, a meeting will be scheduled with the Chief Education Officer or designee within five (5) days of the request. The Chief Education Officer shall render a written opinion in the expulsion matter within three (3) days after the hearing and inform them of their right to appeal. The family will have seven (7) days to appeal in writing.

The Chief Education Officer shall report on each case acted upon at the next meeting of the Board, briefly describing the circumstances and the reasons for action taken. Such denial of admission or expulsion by the Chief Education Officer 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 twelve (12) to eighteen (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 district in which the juvenile is enrolled.

The information shall be used by the Chief Education Officer or designee to determine whether the student has exhibited behavior that is detrimental to the safety, welfare, and morals of the other students or school personnel and whether educating the student in the school may disrupt the



learning environment in the school, provide a negative example for other students, or create a dangerous and unsafe environment for students, teachers, and other school personnel. The Chief Education Officer or designee shall take appropriate disciplinary action, which may include suspension or expulsion, in accordance with the student code of conduct and related policies.

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

Annual reports

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

Information to parents

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

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

- Revised: March 21, 1996
- Revised: August 13, 1998
- Revised: August 10, 2000
- Revised: February 15, 2006
- Revised: July 8, 2010
- Revised: June 30, 2011
- Revised: July 27, 2012
- **Revised: September 12, 2013**

LEGAL REFS:

- **C.R.S. 16-22-102(9) (*unlawful sexual behavior*)**
- C.R.S. 16-11-309 (*crime of violence*)
- C.R.S. 22-32-109.1 (2)(a) (*adoption and enforcement of discipline code*)
- C.R.S. 22-32-109.1 (2)(a)(I)(E) (*policy required as part of **conduct and discipline code** ~~safe schools plan~~*)
- C.R.S. 22-32-109.1 (3) (*agreements with state agencies*)
- **C.R.S. 22-32-144 (restorative justice practices)**
- C.R.S. 22-33-1 05 (*suspension, expulsion, and denial of admission*)
- C.R.S. 22-33-106 (*grounds for suspension, expulsion, and denial of admission*)



- C.R.S. 22-33-1 06.5 (*information concerning offenses committed by students*)
- C.R.S. 22-33-107 (*compulsory attendance law*)
- C.R.S. 22-33-107.5 (*notice of failure to attend*)
- C.R.S. 22-33-1 08 (*juvenile judicial proceedings*)
- ~~C.R.S. 25-4-903 (1) (*immunization*)~~

CROSS REFS:

- ECAC, Vandalism
- GBGB, Staff Personal Security and Safety
- JEA, Compulsory Attendance Ages
- JF, Admission and Denial of Admission
- JF-R, Admission and Denial of Admission (Procedures for Students in Out-of- Home Placements)
- JIC, Student Conduct, and subcodes
- JK-2, Discipline of Students with Disabilities
- JKF, Educational Alternatives for Expelled Students

Title	Expulsion Prevention
Designation	JKG

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

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

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

1. Educational services (tutoring, alternative educational programs or career and technical educational programs that provide instruction in the academic areas of reading, writing, mathematics, science, and social studies)
2. Counseling services
3. Drug or alcohol addiction treatment programs, and/or
4. Family prevention services.

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

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

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

- Adopted: August 13, 1998
- Revised: August 10, 2000
- Revised: July 8, 2010

- Revised: July 27, 2012

LEGAL REF:

- C.R.S. 22-14-101 et seq. (*dropout prevention and student reengagement*)
- C.R.S. 22-33-202 (*identification of at-risk students*)
- C.R.S. 22-33-204 (*services for at-risk students*)
- C.R.S. 22-33-204.5 (*students in facility schools shall be considered at-risk*)
- C.R.S. 22-33-205 (*grants for services to expelled, at-risk and truant students*)

CROSS REF:

- **JKD/JKE, Suspension/Expulsion of Students**



Title	Student Use of the Internet and Electronic Communications
Designation	JS

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

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

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

- Adopted: May 1, 1997
- Revised: March 4, 1999
- Recoded: July 12, 2001 (*previously File: EHC*)
- Revised: January 10, 2002
- Revised: May 8, 2008
- Revised: July 8, 2010
- Revised: December 13, 2012

LEGAL REF:

- 47 U.S.C. 254(h) (*Children's Internet Protection Act of 2000*)
- 20 U.S.C. 6751 *et seq.* (*Enhancing Education Through Technology Act of 2001*)
- 47 C.F.R. Part 54, Subpart F (*Universal Support for Schools and Libraries*)
- C.R.S. 22-87-101 *et seq.* (*Children's Internet Protection Act*)

CROSS REF:

- AC, Nondiscrimination/Equal Opportunity
- EGEA, Electronic Communication
- JB, Equal Education Opportunities
- **JKD/JKE, Suspension/Expulsion of Students**



BOARD OF EDUCATION AGENDA ITEM 2

BOARD MEETING OF:	August 28, 2013
PREPARED BY:	John Litchenberg
TITLE OF AGENDA ITEM:	JICJ Use of Electronic Communication Devices
ACTION/INFORMATION/DISCUSSION:	Discussion

BACKGROUND INFORMATION, DESCRIPTION OF NEED:

RATIONALE: With changing devices and protocols, it is appropriate for the district to revisit and revise policies related to networks and networking devices.

RELEVANT DATA AND EXPECTED OUTCOMES: Discussion will lead to consensus about policy revisions.

RELATIONSHIP TO THE VISION/MISSION OF THE DISTRICT GOALS ADDRESSED:

Student Achievement and Performance	<u>X</u>	Staff Empowerment and Support	<u>X</u>
Parent/Community Engagement	<u>X</u>	Social and Ethical Responsibility	<u>X</u>
Operational Efficiency and System Effectiveness	<u>X</u>		

FUNDING REQUIRED: Yes No X

AMOUNT BUDGETED:

RECOMMENDED COURSE OF ACTION/MOTION REQUESTED: Move item to discussion at next board work session.

APPROVED BY: Peter Hilts, CEO

DATE: August 26, 2013



Title	Use of Electronic Communication Devices
Designation	JICJH

The Board of Education recognizes the value of electronic devices in the learning process as well as the vital communication role they can play during emergency situations. However, ~~the ordinary indiscriminate~~ use of electronic communication devices in school situations disrupts and interferes with the educational process and is allowed only during passing periods, lunch periods and during emergencies. For the purposes of this policy, “electronic communication devices” include cell phones, ~~beepers, pagers, walkie-talkies~~ radios, and any other telecommunications device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor ~~(e.g., Blackberry, Palm Pilot etc.)~~.

For purposes of this policy, “emergency” shall mean an actual or imminent threat to public health or safety, which may result in loss of life, injury or property damage.

No person may use any form of camera, whether or not it is embedded in an eE ~~Electronic communication devices with cameras are prohibited,~~ in locker rooms, bathrooms, or other locations where such operation may violate the privacy rights of another person.

Students who knowingly use an electronic communication device ~~such as a cell phone, pager, and/or personal digital assistant (PDA)~~ on school grounds or on school buses, at school sponsored activities, and/or on field trips in a manner which constitutes an interference with school purposes or an educational function or use an electronic communication device in a manner that is profane, indecent, or obscene or constitutes an invasion of privacy, will be subject to disciplinary action, which could include suspension and or expulsion from school. In addition, ~~the a~~ Principal or Innovation Leader ~~other administrator~~ may also refer the matter to law enforcement as appropriate.

Violation of this policy shall result in disciplinary measures and/or confiscation of the electronic communication device. Electronic communication devices are considered personal effects in a student’s possession and thereby are subject to Board Policy governing searches of such items. Administrators may search cell phones if they have a reasonable suspicion that school rules or Board policies may have been violated, and the search will ~~turn up~~ yield evidence that the student has violated these rules or policies.

Confiscated devices shall be returned to the student or parent/guardian only

The district shall not be responsible for loss, theft or destruction of electronic communication devices brought onto district property.

- Adopted: October 3, 2002
- Revised: October 7, 2004
- Revised: July 8, 2010
- Revision: June 30, 2011
- **Revised: October 10, 2013**



LEGAL REFS:

- [C.R.S. 16-22-102\(9\) \(unlawful sexual behavior\)](#)
- [C. RS. 22-32-109.1 \(2\)\(a\) \(adoption and enforcement of discipline code\)](#)
- [C. RS. 22-32-109.1 \(2\)\(a\)\(I\)\(E\) \(policy required as part of conduct and discipline code\)](#)
- [C. R. S. 22-33-1 05 \(suspension, expulsion, and denial of admission\)](#)
- [C.RS. 22-33-106 \(grounds for suspension, expulsion, and denial of admission\)](#)

CROSS REFS:

- JIC and subcodes, Student Conduct
- JIH, Student Interviews, Interrogations and Searches
- JK and subcodes, Student Discipline



BOARD OF EDUCATION AGENDA ITEM 3

BOARD MEETING OF:	August 28, 2013
PREPARED BY:	John Litchenberg
TITLE OF AGENDA ITEM:	Policy for Guest Users
ACTION/INFORMATION/DISCUSSION:	Discussion

BACKGROUND INFORMATION, DESCRIPTION OF NEED: Internet connectivity has become a mandatory service in our schools. Like other school districts, we must provide safe, regulated access for all devices to make use of the expanding number of resources available to our students and staff. We are also willing to provide access to district guests who may access our network as a parent, community member or in some other capacity.

RATIONALE: Providing guest internet (including wireless) access to our students, staff, and other visitors can help improve communication, collaboration, critical thinking and problem solving skills.

RELEVANT DATA AND EXPECTED OUTCOMES: Discussion will lead to consensus about policy for guest users.

RELATIONSHIP TO THE VISION/MISSION OF THE DISTRICT GOALS ADDRESSED:

Student Achievement and Performance	<u>X</u>	Staff Empowerment and Support	<u>X</u>
Parent/Community Engagement	<u>X</u>	Social and Ethical Responsibility	<u>X</u>
Operational Efficiency and System Effectiveness	<u>X</u>		

FUNDING REQUIRED: Yes No X

AMOUNT BUDGETED:

RECOMMENDED COURSE OF ACTION/MOTION REQUESTED: Move item to discussion at next board work session.

APPROVED BY: Peter Hilts, CEO

DATE: August 26, 2013

Guest Network Access and Expectations

General Information

Internet connectivity has become a mandatory service in our schools. Like other school districts, we must provide safe, regulated access for all devices to make use of the expanding number of resources available to our students and staff. We are also willing to provide access to district guests who may access our network as a parent, community member or in some other capacity. Providing guest internet (including wireless) access to our students, staff, and other visitors can help improve communication, collaboration, critical thinking and problem solving skills.

The district network is the property of the district and guest access is a privilege. The district assumes no liability for any damage or malfunction that may occur while or after using the guest network. To keep our network safe we will regulate our guest access. Our desire to ensure smooth operation of our network relies upon users adhering to specific protocols and limitations. In order to be granted access to the district's network, a user must agree to the provisions of the district's policies and regulations governing network use, which are typically documented in a network user agreement (NUA). In general, the NUA require guests to agree to use our network in ways that are efficient, ethical, and legal. If a user violates the NUA, or other relevant regulations, procedures or guidelines, the district may revoke access to the network and may take other legal or disciplinary action. If necessary, the district will cooperate fully with local, state, or federal officials in any investigation concerning or relating to misuse of the district network. Attempts to degrade or disrupt system performance will be viewed as violations of district policy and the NUA.

The guest network will be limited to bandwidth and connectivity resources that are not essential to district operations. Only Board members, staff members, and students enrolled in the district will be granted access to the district's primary, non-guest user network. District administrators may make occasional exceptions to include individuals in the employ of other agencies who are routinely on duty at a school site and who provide direct services to district students and/or teachers or guests who are involved in an educational activity at a district function. An appropriate zone leader or central office administrator must approve the exception prior to activation. In nearly all cases, procedures for access to the district network will be managed and maintained by district technology services.

Unless otherwise indicated by Human Resources, compliance with the NUA is a condition of employment Falcon School district 49.

Guests who accept the terms of the NUA will:

- Use the district network in support of educational and administrative objectives and in a way that is consistent with the mission and curriculum of Falcon School district 49.
- Abide by local, state, and federal laws such as, but not limited to, the Copyright Law, licensing laws, privacy laws, and district policies and regulations, as well as district and school-based guidelines.
- Abide by the acceptable use agreement referenced in BOE policy.
- Be responsible for maintaining confidentiality of passwords and protecting accounts from misuse.
- Ensure electronic communication sent from any non-district account will meet district

requirements for acceptable use.

- Access network systems only when permitted by the owner of the account or with prior administrator authorization.
- Access the district network only through district-approved resources and/or services.
- Remain responsible for any physical or virtual damage done to the Falcon School district network, software, data, user accounts, hardware and for any unauthorized costs.

Users will not:

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

Additional Conditions

- The district reserves the right to access, retrieve, print, read, disclose to third parties or otherwise monitor (i) all messages (including personal messages) sent or received through its electronic communications system; (ii) all sites visited and files downloaded on the Internet;

and (iii) all other uses of the district network.

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

Teachers monitoring student use of network shall:

- Review with students the district network policies, regulations, and responsible use guidelines, to include Internet safety information, guidelines for appropriate online behavior including use of social networks, and cyberbullying awareness and response, as well as applicable acceptable use agreements.
- Report to appropriate district personnel any inappropriate materials that are found to be accessible.
- Report to appropriate district personnel inappropriate behavior.
- Report any attempt to harm or destroy any district equipment or materials, data of another user of the district system, or any other networks.
- Prohibit and report any harm or destruction that is the result of negligence to any district equipment or materials, the data of another user of the district system, or any other networks.



BOARD OF EDUCATION AGENDA ITEM 4

BOARD MEETING OF:	August 28, 2013
PREPARED BY:	Peter Hiltz
TITLE OF AGENDA ITEM:	Chief Officer Performance Review Process
ACTION/INFORMATION/DISCUSSION:	Discussion

BACKGROUND INFORMATION, DESCRIPTION OF NEED: This is the Board's second opportunity to discuss the elements and schedule for chief officer performance review.

RATIONALE: As the direct supervisor of the chief officers, the board should set priorities and processes for effective supervision and evaluation.

RELEVANT DATA AND EXPECTED OUTCOMES: Discussion will lead to consensus about the process.

RELATIONSHIP TO THE VISION/MISSION OF THE DISTRICT GOALS ADDRESSED:

Student Achievement and Performance	<u>X</u>	Staff Empowerment and Support	<u>X</u>
Parent/Community Engagement	<u>X</u>	Social and Ethical Responsibility	<u>X</u>
Operational Efficiency and System Effectiveness	<u>X</u>		

FUNDING REQUIRED: Yes ☐ No ☒

AMOUNT BUDGETED:

RECOMMENDED COURSE OF ACTION/MOTION REQUESTED: Move item to discussion at next board work session.

APPROVED BY: Peter Hiltz, CEO

DATE: August 26, 2013



BOARD OF EDUCATION AGENDA ITEM 5

BOARD MEETING OF:	August 28, 2013
PREPARED BY:	Donna Teubner
TITLE OF AGENDA ITEM:	Preview of Board of Education Meeting Dates for 2014
ACTION/INFORMATION/DISCUSSION:	Discussion

BACKGROUND INFORMATION, DESCRIPTION OF NEED: Regular Board of Education Meetings have been held on the second Thursday of the month and Work Sessions have been held on the fourth Wednesday of the month for the past six years. This has enabled the Board of Education to receive up-to-date financial information on a monthly basis.

The Board has not held Work Sessions during December and July in the past four years. The May Work Session is scheduled during the first week in June to prevent interference with graduation dates. The November Work Session is scheduled for the third Wednesday instead of meeting Thanksgiving week.

RATIONALE: The public is accustomed to the regularly scheduled Board of Education meetings.

RELEVANT DATA AND EXPECTED OUTCOMES: See attached proposed 2014 Board of Education meeting schedule.

RELATIONSHIP TO THE VISION/MISSION OF THE DISTRICT GOALS ADDRESSED:

Student Achievement and Performance		Staff Empowerment and Support	
Parent/Community Engagement		Social and Ethical Responsibility	
Operational Efficiency and System Effectiveness	<u>X</u>		

FUNDING REQUIRED: Yes ___ No X

AMOUNT BUDGETED: N/A

RECOMMENDED COURSE OF ACTION/MOTION REQUESTED: Move to action item at September 12 Board meeting.

APPROVED BY: Peter Hilts, CEO

DATE: August 16, 2013



BOARD OF EDUCATION AGENDA ITEM 6.5

BOARD MEETING OF:	August 28, 2013
PREPARED BY:	Amber Whetstine
TITLE OF AGENDA ITEM:	State Assessment Overview
ACTION/INFORMATION/DISCUSSION:	Information

BACKGROUND INFORMATION, DESCRIPTION OF NEED: All students in grades 3-10 in the state of Colorado are required to participate in the Transitional Colorado Assessment Program (TCAP). Students are tested in reading, writing and math in grades 3-10 and in science in grades 5, 8 and 10. The purpose of this presentation, is to inform the Board about Falcon School District results, achievement, and opportunities for growth.

RATIONALE: School Districts in Colorado, utilize state assessment results as one indicator to improvement and enhance student achievement. These results also, impact the accreditation of districts across the state.

RELEVANT DATA AND EXPECTED OUTCOMES: See attached.

RELATIONSHIP TO THE VISION/MISSION OF THE DISTRICT GOALS ADDRESSED:

Student Achievement and Performance	<u>X</u>	Staff Empowerment and Support	<u>X</u>
Parent/Community Engagement	<u>X</u>	Social and Ethical Responsibility	<u>X</u>
Operational Efficiency and System Effectiveness			

FUNDING REQUIRED: Yes ___ No **X**

AMOUNT BUDGETED: **N/A**

RECOMMENDED COURSE OF ACTION/MOTION REQUESTED: N/A

APPROVED BY: Peter Hiltz, CEO

DATE: 8-16-13



BOARD OF EDUCATION AGENDA ITEM 7

BOARD MEETING OF:	August 28, 2013
PREPARED BY:	Jack W. Bay, Chief Operations Officer
TITLE OF AGENDA ITEM:	Emergency Readiness – Red Cross Memorandum of Understanding
ACTION/INFORMATION/DISCUSSION:	Information

BACKGROUND INFORMATION, DESCRIPTION OF NEED: When the Black Forest fire occurred; district staff members indicated a desire to assist the American Red Cross. However, during our review and discussion on how we could assist it was brought to my attention that a memorandum of understanding (MOU) was not in place to allow the district to be considered as a support shelter site by the Red Cross.

RATIONALE: In order for the district to be considered as a Red Cross community shelter site for an emergency, such as the fires that have occurred the past two years, a MOU needs to be in place prior to such an event. At the time of the Black Forest fire, the only MOU that was in place was for the Patriot Learning Center. This MOU was in place to support the need for a shelter site in the event that a major snow storm closed Highway 24.

RELEVANT DATA AND EXPECTED OUTCOMES: As noted, the only MOU in place with the Red Cross for an emergency community shelter site currently is for the Patriot Learning Center. The district's administration would like to add our three high schools and Falcon Middle School as additional sites that may be considered as a shelter by the Red Cross if needed in the event of a future emergency. Falcon Middle School was selected to be an alternative site for Falcon High School in the event it would not be available at the time of the emergency. In the event that one of our sites would be selected as a shelter site, the Red Cross would provide the needed staff to start, maintain and close the site. The Red Cross would reimburse the district for damages to the facility or other property, reasonable costs associated with the event for custodial, food services personnel, as well as some out of pocket costs such as utilities. An indemnification clause holding the district harmless against legal liability is incorporated in the MOU. By executing the MOU, the district would be ready to be considered as an emergency shelter for future events.

RELATIONSHIP TO THE VISION/MISSION OF THE DISTRICT GOALS ADDRESSED:

Student Achievement and Performance		Staff Empowerment and Support	
Parent/Community Engagement	<u>X</u>	Social and Ethical Responsibility	
Operational Efficiency and System Effectiveness	<u>X</u>		

FUNDING REQUIRED: Yes ☐ No ☒ **AMOUNT BUDGETED:** not applicable

RECOMMENDED COURSE OF ACTION/MOTION REQUESTED: Move this to an action agenda item at the September 12th board meeting

APPROVED BY: Jack W. Bay, Chief Operations Officer

DATE: August 16, 2013



BOARD OF EDUCATION AGENDA ITEM 8

BOARD MEETING OF:	August 28, 2013 – Work Session
PREPARED BY:	Paul Andersen
TITLE OF AGENDA ITEM:	Update on Diversity and Recruiting Practices
ACTION/INFORMATION/DISCUSSION:	Discussion

BACKGROUND INFORMATION, DESCRIPTION OF NEED: Administration will present information for discussion regarding diversity recruiting plans.

RATIONALE: District administration needs additional clarification from the Board of Education about expectations for effort and investment in a diversity recruiting program.

RELEVANT DATA AND EXPECTED OUTCOMES: Discussion will lead to consensus about diversity recruiting emphasis and guide future recruiting investment and efforts.

RELATIONSHIP TO THE VISION/MISSION OF THE DISTRICT GOALS ADDRESSED:

Student Achievement and Performance	<u>X</u>	Staff Empowerment and Support	<u>X</u>
Parent/Community Engagement	<u>X</u>	Social and Ethical Responsibility	<u>X</u>
Operational Efficiency and System Effectiveness			

FUNDING REQUIRED: Yes X No ____

AMOUNT BUDGETED: \$0.00

RECOMMENDED COURSE OF ACTION/MOTION REQUESTED:

APPROVED BY: Peter Hiltz, CEO

DATE: August 26, 2013



BOARD OF EDUCATION AGENDA ITEM 9

BOARD MEETING OF:	August 28, 2013
PREPARED BY:	Peter Hiltz, Donna Teubner
TITLE OF AGENDA ITEM:	Proposed Agenda Formatting and Board Minutes Protocol
ACTION/INFORMATION/DISCUSSION:	Discussion

BACKGROUND INFORMATION, DESCRIPTION OF NEED:

RATIONALE: To provide increased efficiency and clarity of board agenda and minutes.

RELEVANT DATA AND EXPECTED OUTCOMES:

RELATIONSHIP TO THE VISION/MISSION OF THE DISTRICT GOALS ADDRESSED:

Student Achievement and Performance		Staff Empowerment and Support	
Parent/Community Engagement		Social and Ethical Responsibility	
Operational Efficiency and System Effectiveness	<u>X</u>		

FUNDING REQUIRED: Yes ☐ No **X**

AMOUNT BUDGETED:

RECOMMENDED COURSE OF ACTION/MOTION REQUESTED: Incorporate changes recommended by administration.

APPROVED BY: Peter Hiltz, CEO

DATE: August 26, 2013



10850 East Woodmen Road • Falcon, CO 80831
Tel: 719-495-3601 • Fax: 719-495-0832

Mission Statement

To prepare students, in a safe and caring environment, to be successful, competent and productive citizens in a global society.

ANNOUNCEMENT/NOTICE

BOARD OF EDUCATION WORK SESSION

August 28, 2013

6:30 p.m.

Education Service Center – Board Room

PURPOSE:

1. Revision of policies: JIC, Student Conduct; JICA, Student Dress Code; JICC, Student conduct in School Vehicles; JICDA, Code of Conduct; JICDD, Violent and Aggressive Behavior; JICH and regulation JICH-R, Drug and Alcohol Involvement by Students; JICI, Weapons in School; JIH, Student Interviews, Interrogations, Searches and Arrests; JK and regulation JK-R, Student Discipline; JKBA and JKBA-R, Disciplinary Removal from Classroom; JKD/JKE, Suspension/Expulsion of Students (and Other Disciplinary Interventions); JKG, Expulsion Prevention; and JS, Student Use of the Internet and Electronic Communications
2. Review specifics and implications of Policy JICJ, Use of Electronic Communication Devices
3. Policy for Guest Users
4. Chief Performance Review Process
5. Preview of Board of Education Meeting Dates for 2014
6. Mid-monthly Chief's report
 - 6.5 T-CAP Data
7. MOU (Memorandum of Understanding) with American Red Cross
8. Update on Diversity and Recruiting Practices
9. Proposed Agenda Formatting and Board Minutes Protocol

DATE OF POSTING: August 26, 2013

Donna Teubner
Executive Assistant