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The Academy Board of Directors

Executive Work Session

Monday, April 25, 2022

5:30 – 6:55pm

Agenda

Monthly Board Communications Review 30 Minutes

Expectation: Each month, Board members will acknowledge and discuss any community feedback or complaints that have been received since the last meeting.

Board Retreat Planning 15 Minutes

Expectation: The Board will identify a date for the July Board Retreat and begin brainstorming topics to be covered.

Futures Committee 15 Minutes

Expectation: The CEO will update the Board on work to develop a committee to oversee the development of a facilities master plan.

Student & Family Handbook Updates 25 Minutes

Expectation: The CEO will share with the Board a working draft of updates to the Student and Family Handbook for the 2022-23 school year.

The Journey Starts Here...



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The Academy Board of Directors

Board Meeting
Monday, April 25, 2022

7:00pm

Agenda

Consent Agenda	
Moved by	
2 nd By	
Action	

Y/N/P/A	Name
	Drewlow, S
	Klenjoski, D
	Coffee, A.
	Sanchez, K
	McDuffee, A
	Fransua, L
	Hamele, S

- I. Open Meeting
- II. Invocation and Pledge of Allegiance
Invocation Disclaimer: *It is customary for The Board to open all meetings with an Invocation and Pledge of Allegiance. Anyone offended by this may leave the room during this time or may choose not to participate during this time, after which you may return.*
- III. Consent Agenda
 - a. Approve Agenda
 - b. Approval of [March 28, 2022](#), minutes
- IV. Public Comment - *Expectation: Listen and consider any public comment. Board will discuss as any potential responses as a Board at a later time.*
The chairperson will recognize anyone who signs the request form before the meeting time. Public comment and input shall be limited to fifteen minutes total, ten minutes per topic, and 2 minutes per speaker. Neither Board members nor Academy staff is obligated to respond to comments or input. The Board will provide written responses as deemed appropriate.
- V. Reports from Directors, Principals, and Committees
 - a. [CEO Report](#) – *Expectation: CEO will update the board on the current status of the school's pandemic precautions as well as progress toward strategic goals.*
 - b. Committee Reports – *Expectation: Committee chairs will update the board on progress with each committee.*

The Journey Starts Here...

- i. [Finance](#) – See meeting minutes
- ii. SACademic – No meeting this month
- iii. PTO – No meeting this month

VI. Presentation and Discussion

- a. Executive Session – C.R.S. §24-6-402(4)(f): Personnel matters, head of school annual evaluation.
- b. [2022-23 Bell Schedule](#) – *Expectation: The CEO will present an updated bell schedule for the coming school year.*
- c. Policy Review – *Expectation: The CEO will present three draft policy proposals for a first read by Board members and a fourth existing policy for review.*
 - i. [Policy Development](#)
 - ii. [Bullying Prevention and Education](#)
 - iii. [Student Interviews, Interrogations, and Searches](#)
 - iv. [Restraint \(review of existing policy\)](#)

VII. Executive Summary

- a. Approve Bell Schedule - *Expectation: The Board will vote to adopt the proposed [2022-23 Bell Schedule](#).*

VIII. Board Meeting Self-Scoring – *Expectation: The board will self-score their performance for the meeting according to preset criteria.*

Scoring Rubric	
1	Unsatisfactory
2	Satisfactory, looking for significant Improvement
3	Satisfactory, improving but still below expectations
4	Efficient meeting, meets expectations

___/4

IX. Adjourn Meeting

The Journey Starts Here...



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Board of Directors
Board Meeting Minutes
Monday, March 28, 2022

Board Members Present:

Sarah Drewlow	Vice Chairperson
Dan Klenjoski	Board Member
Autumn Coffee	Secretary
Amy McDuffee	Board Member
Laurissa Fransua	Board Member

Also Present:

Brent Reckman	CEO
Mark Wilson	COO
Andrea Foust	Finance Director

Minutes of the regular board meeting of The Academy held at 11800 Lowell Blvd, Westminster, CO 80031 in Adams County on March 28, 2022.

I. Open Meeting

A quorum being present, Mrs. Drewlow called the meeting to order at 7:03 pm and gave the following disclaimer:

Invocation Disclaimer It is customary for The Board to open all meetings with an invocation and Pledge of Allegiance. Anyone offended by this may leave the room during this time or may choose not to participate during this time, after which you may return.

II. Invocation and Pledge of Allegiance

Mrs. Drewlow opened the meeting with an invocation and the Pledge of Allegiance.

III. Consent Agenda

Mrs. McDuffee moved to approve the February 28, 2022, minutes. Seconded by Mr. Klenjoski.

The Journey Starts Here...

Discussion: None

Ayes: Klenjoski, Coffee, McDuffee, Fransua, Drewlow

Nays: None

IV. Public Comment

- a. One parent came to share his concerns regarding the new calendar situation and how it will affect parents. He is concerned that this is the start to moving toward having every Friday off like the Brighton school district.

V. Reports from Directors and Committees

a. CEO Report

- i. Covid update – we continue to trend downward in a positive direction. As of today (Monday, March 28, 2022) we are switching back to routine disease response model for the health clinics.
- ii. Handbook updates
 - 1. Mr. Reckman has been in touch with our attorney regarding the legal recommendations regarding separate policies for things such as bullying.
 - 2. Over the next month Mr. Reckman will be drafting a couple of policies for the handbook. The board will be able to give feedback on the policies at the April meeting, and we will vote on them in the May meeting.

b. Finance Committee Report

- i. It's been a stable month with very little unexpected revenue or expense to report.
- ii. The community service grants are coming in for our aftercare program. This is a big support in covering some of what we lost during the pandemic.
- iii. Since the modification update, we have received confirmation that the government did buy down the budget revenue for a total of \$140K.
- iv. We are currently looking at various scenarios for next year to plan ahead for savings. Items affecting the scenarios include PPR, mill levy, equalization, and enrollment.

c. SACademic Committee Report

- i. We have been engaged with the UIP for the last few months. The draft is due to CSI in August. We are making two specific recommendations:
 - 1. Improvements in secondary math, specifically looking into subgroup performances (minority, students with disabilities, etc), and
 - 2. Set goals that connect with student counts as opposed to goals connected to average scores.

d. PTO – no meeting this month

The Journey Starts Here...

- VI. Presentation and Discussion
- a. 2022-2023 Academic Calendar
- i. The work on the calendar goes back to December with internal conversations. Each level had discussions and came to the consensus that moving to every third Friday (approximately) as a professional development day would give us the best opportunity to address some of the school safety and culture issues.
 - ii. We are still finalizing plans for what the Friday child care will look like. It will be a structured day with some academic time built in.

- VII. Executive Summary
- a. Mrs. Fransua made a motion to accept the 2022-2023 Academic Calendar as presented. Mrs. McDuffee seconded the motion.
Discussion: None
Ayes: Klenjoski, Coffee, McDuffee, Fransua, Drewlow
Nays: None

VIII. Board Self-Scoring

Scoring Rubric	
1	Unsatisfactory
2	Satisfactory, looking for significant Improvement
3	Satisfactory, improving but still below expectations
4	Efficient meeting, meets expectations

4/4

- IX. Adjourn Meeting
- Mrs. Drewlow adjourned the meeting at 7:55 pm.

[Return to Agenda](#)

The Journey Starts Here...



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CEO Board Report – April 2022 Meeting

Pandemic Response Update

Expectation: Share information about implementation of pandemic precautions and their impacts on the school year.

As of April 18th, the number new COVID-19 cases per 100,000 residents in Adams County over a 7-day period was 41 (up slightly from one month ago). The 7-day average positivity rate is 4.3% (up from 3.2% one month ago). Since the Board's March meeting, positive cases and family close contacts among students and staff have remained near their lowest levels since the start of the pandemic.

We are still feeling optimistic about finishing the school year strong without further interruption, while also recognizing that school staff are still exhausted from an incredibly challenging first six months of the school year. As per updated guidance from CDPHE and Tri-County, the Health Clinic Team shifted to a model of routine disease prevention about a month ago. This change has been smooth with little observable effect on school operation or community safety.

Strategic Initiatives Update

Expectation: Share information about ongoing implementation of initiatives in support of The Academy 5-year Strategic Plan.

Students have been busy taking the state standardized test – Colorado Measures of Academic Success (CMAS) – over the past two weeks. In May, students will complete their other year-end assessments. Level admin teams will be working to compile all that data into our final reporting of the school year. Principals will present that work in the form on their final Annual Work Plan presentations at the June Board meeting.

[Return to Agenda](#)

The Journey Starts Here...

Finance & Operations Board Report, April 2022

Members Present: Shawn Hamele, Dan Klenjoski, Irina Szafranski, Andrea Foust, Mark Wilson

Introduction (5 minutes)

Expectation: Review agenda and norms as needed. Share any relevant resources for committee to review.

No new resources shared this month.

Financial Report Review (25 minutes)

Expectation: Financial report sent out in advance. Review and discuss current position in relation to modified budget. Review status of 22/23 budget scenarios.

(see next page)

The Journey Starts Here...

Current Year - FY2022						
Acct	Account_Description	March	FY 2022 YTD	FY2022 Mod Budget	YTD % of Budget	FY2022 Expected End of Year
Revenue						
1500	Earnings on Investments	\$670.82	\$2,504.88	\$2,100.00	119.3%	\$2,100.00
1600	Food Services	\$4,048.59	\$48,955.20	\$24,000.00	204.0%	\$24,000.00
1700	Pupil Activities	\$35,223.10	\$423,170.44	\$650,000.00	65.1%	\$650,000.00
1800	Community Services Activities	\$76,947.73	\$644,524.50	\$738,400.00	87.3%	\$738,400.00
1900	Other Local Sources	\$12,807.25	\$216,810.27	\$250,000.00	86.7%	\$250,000.00
3000	Revenue from State Sources	\$45,790.53	\$370,614.54	\$594,300.56	62.4%	\$594,300.56
3100	Categorical Revenue	\$0.00	\$263,513.84	\$265,483.84	99.3%	\$265,483.84
3200	Adjustments to Categorical Revenue	\$0.00	\$0.00	\$2,968.00	0.0%	\$2,968.00
3900	Other Revenue From State	\$164,724.58	\$1,320,371.49	\$3,465,911.14	38.1%	\$3,465,911.14
5200	Interfund Transfers	\$0.00	\$24,000.00	\$24,000.00	100.0%	\$24,000.00
5600	Direct Allocations	\$1,312,531.19	\$12,157,359.61	\$16,131,751.54	75.4%	\$16,131,751.54
11	Total Revenue	\$1,652,743.79	\$15,471,824.77	\$22,148,915.08	69.9%	\$22,148,915.08
Expenditure Summary						
		March	FY 2022 YTD	FY2022 Mod Budget	YTD % of Budget	FY2022 Expected End of Year
0100	Total Salaries	\$796,906.13	\$6,285,244.29	9,830,671.80	63.9%	9,830,671.80
0200	Total Benefits	\$283,324.90	\$2,329,250.28	3,879,051.75	60.0%	3,879,051.75
0300-0500	Total Purchased Svcs	\$368,924.59	\$3,332,178.47	4,729,409.68	70.5%	4,729,409.68
0600	Total Supplies	\$139,471.88	\$1,307,638.36	2,875,362.57	45.5%	2,875,362.57
0700	Total Property	\$0.00	\$6,182.25	6,182.25	100.0%	6,182.25
0800	Total Fees/Pupil Activities	\$38,410.14	\$427,143.39	728,237.03	58.7%	728,237.03
0900	Total Other Uses	\$0.00	\$0.00	\$0.00	0.0%	\$0.00
	Total Expenditures	\$1,627,037.64	\$13,687,637.04	\$22,048,915.08	62.1%	\$22,048,915.08
	Total Expenditures	\$1,627,037.64	\$13,687,637.04	\$22,048,915.08	62.1%	\$22,048,915.08
	Salary Accrual Adj.		\$650,250.00			
	Beg. Fund Balance Use	\$25,706.15	\$1,133,937.73	\$100,000.00		\$100,000.00
	Net Profit (loss)			\$100,000.00		\$100,000.00
	Beginning Fund Balance			\$5,304,726.15		\$5,304,726.15
	Est. Ending Fund Balance			\$5,404,726.15		\$5,404,726.15

- PPR and At-Risk adjustments are expected to total ~360K additional revenue by EOY.
- Minimal unexpected expenditures throughout March.
- Community Service grants being added monthly for Aftercare and Pre-K, totaling 218K.
- Contingency funds remaining as planned without unforeseen expenditures. EnVision and Wonders ordered – costs will be added to financials once materials land with us.

Continued to review the process of budget scenario planning for 22/23. This includes the impact of our new salary schedule and raises alongside the total of our budget requests

The Journey Starts Here...

ahead of next year. These were then collated into scenarios using PPR, enrollment and MLE as the varying factors. The most recent update is that we are narrowing into around three possible scenarios, now we understand the PPR rate to be landing at just over 6% and MLE seems to be settling at 7M additional. There is also a 25% increase proposed in Capital Construction funding that translates into approximately 130K more for us in 22/23. Ahead of next year, and as soon as the above are confirmed, we will start building the precise budget moving into May ready for Board approval.

Legislative Updates (10 minutes)

Expectation: COO to update committee on current status of legislative session and potential impacts e.g. PPR, MLE, Nutrition Services.

The following was shared as part of the League's most recent update:

1. **The League's special education bill passed out of the Senate Education Committee.** This is an incredibly strong start and portends well for the prospects of an [important bill](#) that would expand opportunities and autonomy for charter schools to better serve students with special needs.
2. **Charter School Capital Construction funding appears headed for a \$10 million increase.** Barring any last-minute changes to the budget, Charter Capital Construction funding is on track to increase to \$42 million next year.
3. **The budget currently includes an additional \$7 million for CSI equalization.** Even in the absence of more movement, the additional \$7 million would nearly double the equalization funding available to CSI schools.
4. **PPR and SPED funding are both on track for significant increases.** Finally, as part of the draft budget, the Joint Budget Committee committed to an additional \$80 million for special education funding. Additional PPR funds would bump next year's PPR increase to just over 6%.

Additionally, we reviewed the latest news on Nutrition Services, which we will be paying close attention to as we build our estimations for 22/23 costs:

As next school year gets closer and the financial future of sponsors' nonprofit food service accounts remains uncertain, CDE's School Nutrition Unit asks that districts consider the following when budgeting for next school year:

- **Lower reimbursement rates are anticipated** under the traditional operations of the School Breakfast Program and National School Lunch Program in School Year 2022-23. Student meals will also be reimbursed based on free, reduced-price, or paid eligibility status.

The Journey Starts Here...

- **Continued unpredictability with the supply chain** could result in additional price increases on food and supplies. Districts are encouraged to check base-year contracts with food vendors to determine if price escalation language is included.

Futures Committee (10 minutes)

Expectation: COO to share relevant sections of CDE facility report to review.

The committee was informed of some of the initial conversations that have occurred since the start of this year. The most important message was that any future decisions will be made in collaboration with the Board and other relevant committees. Conversations were furthered about how to balance future funding between new, external projects and internal improvements as recommended by our CDE school facility report.

The CDE school facility report was shared and discussed holistically in regards to the process, principles and guidance it is looking to give. The main message is to help us build a picture and prioritized list for the future as to where we need to invest in our current facility to maintain quality. We will continue to refer to this document in the future as finances and additional projects are considered.

Self-Evaluation (5 minutes)

Expectation: Finance Committee members have the opportunity to provide feedback to COO to improve the processes and meeting efficiency moving forward.

Committee rated at 4 (efficient meeting, meets expectations)

Next Meeting (last one of 21/22 year): 12 May, 2022

[Return to Agenda](#)

The Journey Starts Here...

Elementary North Campus Schedule

K-2nd Grades

2022-2023

School Hours: 7:45 am – 2:55 pm

Specials Schedule

K 11:55 – 12:50

1st 12:55 – 1:50

2nd 1:55 - 2:50

Lunch & Recess

K 10:10 – 11:40

1nd 10:45 – 11:15

2rd 11:10 – 11:40

Recess

K 9:20 - 9:40

2nd 10:00 - 10:15

1st 10:20 - 10:40

1st 12:35 - 12:50

K 12:55 - 1:15

2nd 1:30 - 1:50

The Journey Starts Here...

Elementary Main Campus Schedule

3rd – 5th Grades

2022-2023

School Hours: 8:05 am – 3:15 pm

Specials Schedule

3rd 8:10 – 9:00

4th 9:05 – 9:55

5th 9:58 - 10:48

Lunch & Recess

3rd 10:25 – 10:50

4th 10:40 – 11:05

5th 10:55 – 11:20

Afternoon Recess

3rd 1:10 – 1:30

4th 1:40 – 2:00

5th 2:10 – 2:30

The Journey Starts Here...

Middle School Bell Schedule

6th Grade – 8th Grade

2022-2023

School Hours: 8:20 am – 3:30 pm

Period	Start	End
0	7:10	8:00
1 <i>(Pride)</i>	8:20	8:55
2	9:00	9:50
3	9:55	10:45
4	10:50	11:40
5a (lunch)	11:45	12:40
Prides 1-9 – lunch	11:45 – 12:10	
Prides 10-19 – recess	11:45 – 12:10	
Prides 1-9 – recess	12:10 – 12:40	
Prides 10-19 – lunch	12:10 – 12:40	
5b & 5c (regular 5 th period class)	12:45	1:40
6	1:45	2:35
7	2:40	3:30
8	3:35	4:25

The Journey Starts Here...

High School Bell Schedule

9th Grade – 12th Grade
2022-2023

School Hours: 8:05 am – 3:30 pm

Period		Start	End
0		7:10	8:00
1		8:05	8:55
2		9:00	9:50
3		9:55	10:45
4		10:50	11:40
5a (regular 5 th period class)		11:45	12:40
5b		12:45	1:10
	9 th and 10 th – lunch	12:45 – 1:10	
	11 th and 12 th – advisory	12:45 – 1:10	
5c		1:10	1:40
	9 th and 10 th – advisory	1:10 – 1:40	
	11 th and 12 th – lunch	1:10 – 1:40	
6		1:45	2:35
7		2:40	3:30
8		3:35	4:25

[Return to Agenda](#)

The Journey Starts Here...



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POLICY DEVELOPMENT

Mission Statement:

The Academy serves our students to develop college ready, exemplary citizens by promoting excellence in academics, character, and relationships.

Purpose:

It is the intent of The Academy to develop written policies and make them available to all interested persons. Policies serve as direction for the operation and successful and efficient functioning of The Academy schools.

Board policy establishes the boundaries of acceptability within which staff methods and activities can responsibly be left to staff. With this format, the Board does not make day-to-day decisions about operational issues or routine problems. Therefore, the Board policies provide school direction.

General:

An annual review of of board policies and regulations shall be conducted. The Board reserves the right to review school policies and regulations at any time.

Policies must align with negotiated agreements, beliefs, strategic planning, collaborative decision making, equity issues, resources, training, safety, and communication. Since individual policies vary markedly in the number of groups and individuals affected by each, policy development itself varies in degree, scale, and number of individuals or groups to become involved in a particular policy development.

Proposals regarding policies may originate with a member of the Board, the CEO, Principal, staff member, parent, or student. A careful and orderly process shall be used in examining such proposals prior to action upon them by The Academy Board.

The Journey Starts Here...

The policies of The Academy are framed and meant to be interpreted in terms of state laws and authorizer regulations along with other regulatory agencies within state and federal levels of government.

The Board delegates to the CEO the responsibility of developing and adopting school policies and regulations under which the schools will be operated in accordance with Board policy. In the development of school policies and regulations, the CEO shall consider the viewpoints of those who will be affected. The Board reserves the right to review school policies and regulations issued by the CEO, but it shall revise or veto such policies and regulations only when, in the Board's judgment, they are inconsistent with policies and regulations adopted by the Board. The Board shall be provided with copies of all school policies and regulations issued by the CEO when requested.

The Board itself shall approve school policies and regulations when specific state or federal laws require the Board to do so, or when the CEO considers such approval desirable.

Policy Development Process:

The Board shall adhere to the following procedures in considering and adopting policy proposals to ensure that they are well examined before final action.

1. Any policy proposal or revision shall be presented to the CEO, along with the rationale for the development or revision of the policy, and the names of the groups and/or individuals consulted regarding policy development.
2. CEO shall evaluate the new policy based on its alignment with:
 - Groups consulted
 - Fiscal accountability
 - Contracts
 - Statute
 - School values
 - The strategic plan
 - Other factors as defined by the developer of the policy
3. CEO may accept or reject the policy or revision for study. If accepted for study, CEO will then define any additional necessary input and any additional stakeholders to be consulted. CEO will also define a communication plan.
4. The policy or revision or regulation will be adopted by a majority vote of The Academy Board members present at any regular or special meeting.

The Journey Starts Here...

The CEO is responsible for informing personnel of Board policies and regulations and for seeing that they are implemented in the spirit intended. All employees have the responsibility to familiarize themselves with Board policies and to follow them. Disregard for Board policies and regulations may be considered insubordination and/or neglect of duty.

References

The Board of Directors at The Academy approved the Grievance Policy on Monday, February 28, 2022.

Board Chairperson

Date

[Return to Agenda](#)

The Journey Starts Here...



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BULLYING PREVENTION AND EDUCATION POLICY

Mission:

The Academy serves our students to develop college ready, exemplary citizens by promoting excellence in academics, character, and relationships.

Purpose:

The Academy Board supports a positive school climate, conducive to teaching and learning that is free from threat, harassment, and any type of bullying behavior. The purpose of this policy is to promote a safe school climate where all types of bullying are regarded as unacceptable.

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

Prohibited Behavior:

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

Definitions:

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

The Journey Starts Here...

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

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

Prevention and Intervention:

The Chief Executive Officer (CEO) is encouraged to create a tiered system of supports to engage students in bullying prevention best practices. These best practices include, but are not limited to, the following:

- Partnering with families and the community to increase their awareness of the warning signs that students are being targeted or perpetrating bullying, as well as basic bullying prevention and intervention strategies.
- Designating a team of persons at The Academy who advise the school administration on the severity and frequency of bullying. The team of persons at the school may include, but need not be limited to, school resource officers, social workers, school psychologists, health professionals, mental health professionals, counselors, teachers, administrators, parents, and students.
- Surveying students' impressions of the severity and frequency of bullying behaviors in their school.
- Investing in positive school climate efforts that clearly define, teach, and reinforce prosocial skills. This includes intentional efforts to promote positive relationships between staff and students as well as students with other students.
- Include students in the development, creation, and delivery of bullying prevention efforts as developmentally appropriate.
- Character building for students that includes, but is not limited to, age-appropriate, evidence-based social and emotional learning as well as information on the recognition and prevention of bullying behaviors.
- Measuring the implementation fidelity of bullying prevention best practices, including the adherence to policy and intervention strategies.
- Training school staff on an annual basis regarding the school's bullying prevention practices and this policy such that staff know their responsibilities in supporting students and reporting bullying incidents.

The Journey Starts Here...

Reporting:

Any student who believes he or she has been a victim of bullying and/or other behaviors prohibited by this policy, or who has witnessed such bullying and/or other prohibited behaviors, is strongly encouraged to immediately report it to a school administrator, counselor or teacher.

Investigating and Responding:

As part of the CEO's comprehensive program to address bullying, procedures shall be developed with the goal of immediate intervention and investigation in response to reports of students engaged in bullying and/or other behaviors prohibited by this policy.

Supports and Referrals

As part of the CEO's comprehensive program to address bullying, procedures shall be developed with the aim toward accomplishing the following goals:

- Initiate efforts to change the behavior of students engaged in bullying behaviors.
- Support targets of bullying.

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

References

The Board of Directors at The Academy approved the Grievance Policy on Monday, February 28, 2022.

Board Chairperson

Date

[Return to Agenda](#)

The Journey Starts Here...



Prepare | Explore | Empower

STUDENT INTERVIEWS, SEARCHES, AND SEIZURE OF PROPERTY POLICY

Mission:

The Academy serves our students to develop college ready, exemplary citizens by promoting excellence in academics, character, and relationships.

Purpose:

The Academy's Board of Directors (Board) seeks to maintain a school climate that 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 staff to interview students in the process of an investigation as well as search the person and/or the personal property of a student and to seize any property deemed injurious or detrimental to the safety and welfare of students and staff.

Interviews by School Administrators:

"Administrator" refers to The Academy's Chief Executive Officer, a principal, and/or their designee. Interviews of students conducted pursuant to this policy shall be conducted by two staff members, when at all possible. Absent extenuating circumstances, there will always be a staff member of the same gender as the student in the room during the interview. The nature and extent of the questioning will be reasonably related to the objectives of the questioning. When a suspected violation of school policy, or federal, state, or local law occurs, the administrator may question potential student victims, witnesses, and suspects without the prior consent of the student's parent/guardian. If staff are investigating a report of child abuse and the suspected perpetrator is a member of the student's family, no contact with the student's family will be made. In such cases, The Academy will follow the Colorado Department of Education's Mandatory Reporter process.

Searches Conducted by School Administrators:

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

The Journey Starts Here...

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 staff conducting a search shall be considered grounds for disciplinary action. Absent extenuating circumstances, there will always be a staff member of the same gender as the student conducting the search of the student's person.

A written report shall be prepared by the administrator who conducted the search explaining the reasons for the search, the results, and the names of any witnesses to the search.

Search of School Property:

All storage areas located on premises or school-sponsored premises are The Academy's property and remain at all times subject to search without notice pursuant to this policy.

Students shall assume full responsibility for the security of any storage areas authorized for their use in the manner approved by administration. Unapproved locking devices shall be subject to removal.

Search of The Student's Person or Personal Effects:

An Administrator may search the person of a student or a student's personal effects such as a purse, backpack, book bag, or briefcase on school property or at a school-sponsored events/activities if the search is done in compliance with the other provisions of this policy, and the search will likely uncover:

- Evidence of a violation of school policies, or federal, state, or local law.
- Anything which, because of its presence, presents an immediate danger of physical harm or illness to any person.

Searches of a student shall always be reasonable in scope. Searches may include, but are not limited to: jackets, coats, other outerwear, hats, shoes, socks, and any object in the student's possession such as a purse, backpack, book bag, or briefcase.

Pat downs of a student shall only be done on the exterior of the student's clothing and shall only be done using the back of the staff member's hand(s).

The Academy staff conducting a search shall be respectful of privacy considerations, in light of the gender and age of the student.

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

The Journey Starts Here...

Searches of a student that requires removal of clothing other than coats, jackets, hats, shoes, socks, or other outer clothing, shall be referred to law enforcement. The Academy staff shall not participate in these types of searches except for in extremely limited circumstances where there is an immediate danger of physical harm or illness to any person.

Search of Student Vehicle:

Students are permitted to park on school property as a matter of privilege, not of right. The privilege of bringing a student-operated vehicle on to school property is conditioned on consent by the student driver to allow a search of the vehicle when it's reasonably related to the objectives of the search and not excessively intrusive.

The refusal by a student, parent/guardian, or owner of a vehicle to allow access to and search of a vehicle on school property shall be cause for termination of the privilege of bringing the vehicle onto school property. Refusal to submit to a search also may result in disciplinary action and referral to law enforcement.

Routine patrolling of student parking lots and an open view inspection of student vehicles will be permitted at all times. Vehicles may be subjected to suspicionless sniffs by dogs trained to alert at the scent of drugs, alcohol, explosives, or other contraband.

Seizure of Items:

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

- Seized and offered as evidence in any suspension or expulsion proceeding. Such material shall be kept in a secure place by staff until it is presented at the hearing. If possession of the item is a violation of law (e.g., controlled substances and weapons), the items shall be turned over to law enforcement as soon as practicable.
- Photographs may be introduced as evidence at the expulsion hearing in lieu of the items themselves if the item(s) is no longer in The Academy's possession.
- Returned to the student or the parent/guardian after a determination is made by staff that the item is no longer needed as evidence.

Use of Metal Detectors and Drug Detecting Dogs and Mechanisms:

The Academy may use metal detectors, drug dogs, or other minimally intrusive detecting mechanisms to conduct mass, general, or random screenings of school grounds, and any property on school property without any individualized suspicion concerning a particular student or group of students in accordance with the rights of students under state and

The Journey Starts Here...

federal laws. Under no circumstances shall dogs be allowed to sniff any student. Students shall be separated from their property during drug dog sweeps as to avoid potential embarrassment to students, to ensure that students are not targeted by dogs, and to decrease the possibility of dangerous interactions between dogs and students.

Searches During Field Trips or Other School-Sponsored Events:

If conducted in accordance with the other terms of this policy, staff may search student hotel rooms, luggage, and other property in possession of students during field trips, athletic trips, and other school-sponsored trips and events away from campus.

Involvement of Law Enforcement:

It is the responsibility of the law enforcement officer interviewing student witnesses or interrogating student suspects to assure compliance with all applicable procedural safeguards.

Upon request by law enforcement to interview a student witness or interrogate a student suspect, staff shall notify the student's parent/guardian, except in cases involving investigation of reported child abuse where the suspected perpetrator is a member of the student's family, when law enforcement has a court order directing that the student's parent/guardian not be notified, or when an emergency or other exigent circumstances exist. If the student is under 18, the student's parent/guardian also shall be present during the law enforcement interrogation or interview unless:

- the juvenile is emancipated as that term is defined in state law;
- the student's parent/guardian has not been notified pursuant to this policy; or
- the student's parent/guardian agrees to the interrogation or interview without being present.

The Academy may request a search on school property be conducted by law enforcement. No staff will assist or otherwise participate in searches and arrests made by law enforcement.

Students shall only be released to law enforcement officers if the student has been placed under arrest or if the student's parent/guardian and the student consent to such release.

When a student is removed from school by law enforcement officers for any reason, school officials will make reasonable efforts to notify the student's parent/guardian. It is expected that all procedural safeguards prescribed by law are followed by law enforcement officers conducting student arrests. However, staff are not responsible for an officer's legal compliance when arresting a student.

The Journey Starts Here...

Record of Search:

Administrators shall make a written record of every search conducted on school property or by school staff of a student. The record shall include the following: name of the individual searched, the name of the staff that both conducted and witnessed the search, the grade level of the student, the race and gender of the student, the reason for the search, and the outcome of the search.

Surveillance Cameras:

Video and audio surveillance recorders may be used by The Academy or The Academy-authorized representatives to monitor students on school property, buses, at bus stops, and at school-sponsored events on and off school property, except in areas that if monitored would violate a student's right to privacy (e.g., bathrooms, locker rooms, hotel rooms).

Additional Legal References:

C.R.S. 22-32-109.1 (2)(a)(I) (duty to adopt policies on student conduct, safety, and welfare)

C.R.S. 22-32-109.1 (2)(a)(II) (policy required as part of a safe schools plan)

C.R.S. 22-32-109.1 (9) (immunity provisions in safe schools law)

C.R.S. 19-3-304 (mandatory reporting laws)

The Board of Directors at The Academy approved the Grievance Policy on Monday, February 28, 2022.

Board Chairperson

Date

[Return to Agenda](#)

The Journey Starts Here...



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THE ACADEMY RESTRAINT POLICY

Mission Statement:

The Academy serves our students to develop college ready, exemplary citizens by promoting excellence in academics, character and relationships.

Background

This policy was developed to ensure that schools develop a conduct and discipline code in their safety plan that addresses procedures for dealing with students who cause a disruption on school grounds.

Purpose

To maintain a safe learning environment, school employees may, within the scope of their employment and consistent with state law, use physical intervention and restraint with students in accordance with this policy and accompanying regulation. Such actions shall not be considered child abuse or corporal punishment if performed in good faith and in compliance with this policy and accompanying regulation. This policy applies to incidents that occur on school property or at an off-campus, school-sponsored event or activity.

Definitions

In accordance with state law and the State Board of Education rules governing the Administration of the Protection of Persons from Restraint Act (1 CCR 301-45), the following definitions apply for purposes of this policy.

1. “Deadly Weapon” means a firearm, whether loaded or unloaded; a knife, bludgeon, or any other weapon, device, instrument, material, or substance, whether animate or inanimate, that, in the manner it is used or intended to be used, is capable of producing death or serious bodily injury.

The Journey Starts Here...

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

The Journey Starts Here...

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

Applicability

The requirements of this policy shall apply to all school personnel, before and after school providers, and any public or private entities with which the School contracts during any and all educational programs, activities, or events provided, supervised, or sponsored by the School, including off-campus school-sponsored events.

Basis for Use of Restraint

Restraints shall only be used:

1. In an emergency and with extreme caution; and
2. After:
 - a. The failure of less restrictive alternatives (such as Positive Behavior Supports, constructive and non-physical de-escalation, and re-structuring the environment); or
 - b. A determination that such alternatives would be inappropriate or ineffective under the circumstances.
3. Restraints shall never be used as a punitive form of discipline or as a threat to gain control or gain compliance of a student's behavior.

The Journey Starts Here...

4. School personnel or contracted personnel shall:
 - a. Use restraints only for the period of time necessary and using no more force than necessary; and
 - b. Prioritize the prevention of harm to the student.

Duties Related to the Use of Restraint – General Requirements

When restraints are used, the School shall ensure that:

1. No restraint is administered in such a way that the student is inhibited or impeded from breathing or communicating;
2. No restraint is administered in such a way that places excess pressure on the student's chest, back, or causes positional asphyxia;
3. Restraints are only administered by school personnel who have received training in accordance with 1 CCR 301-45;
4. Opportunities to have the restraint removed are provided to the student who indicates he/she is willing to cease the violent or dangerous behavior;
5. When it is determined by trained school personnel that the restraint is no longer necessary to protect the student or others (i.e. the emergency no longer exists), the restraint shall be removed. In the case of seclusion, staff must reintegrate the student or clearly communicate to the student that the student is free to leave the area used to seclude the student; and
6. The student is reasonably monitored to ensure the student's physical safety.

Proper Administration of Specific Restraints

1. Chemical Restraints shall not be used.
2. Mechanical and Prone Restraints shall not be used, except where:
 - a. The student is openly displaying a deadly weapon;
 - b. When used by an armed security officer who has received documented training in defensive tactics utilizing handcuffing procedures and restraint tactics utilizing prone holds and who has made a referral to a law enforcement agency.
3. Physical Restraint shall only be used in accordance with the following:
 - a. A person administering the physical restraint shall only use the amount of force necessary to stop the dangerous or violent actions of the student;

The Journey Starts Here...

- b. A restrained student shall be continuously monitored to ensure that the breathing of the student in such physical restraint is not compromised; and
 - c. A student shall be released from physical restraint within fifteen minutes after the initiation of the restraint, except when precluded for safety reasons.
4. Seclusion shall only be used in accordance with the following;
- a. Relief periods from seclusion shall be provided for reasonable access to toilet facilities;
 - b. Any space in which a student is secluded shall have adequate lighting, ventilation and size; and
 - c. To the extent possible under the specific circumstances, the space should be free of injurious items.

Notification Requirements

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

Documentation Requirements

1. If restraints are used by any school personnel or contracted personnel, a written report shall be submitted within one school day to school administration.
2. The school principal or designee shall verbally notify the parents as soon as possible but no later than the end of the school day, **aside exigent circumstances**, that the restraint was used.
3. A written report based on the findings of the staff review required by review of specific incidents of restraint paragraph below shall be e-mailed or mailed to the student's parent within five calendar days of the use of restraint. The written report of the use of restraint shall include:
 - a. The antecedent to the student's behavior if known;
 - b. A description of the incident;
 - c. Efforts made to de-escalate the situation;
 - d. Alternatives that were attempted;

The Journey Starts Here...

- e. The type and duration of the restraint used;
 - f. Injuries that occurred, if any; and
 - g. The staff present and staff involved in administering the restraint.
4. A copy of the written report on the use of restraint shall be placed in the student's confidential file.

Review of Specific Incidents of Restraint

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

General Review Process

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

The Journey Starts Here...

Staff Training

1. The School shall ensure that staff utilizing restraints are trained in accordance with 1 CCR 301-45.
2. Training shall include:
 - a. A continuum of prevention techniques;
 - b. Environmental management;
 - c. A continuum of de-escalation techniques;
 - d. Nationally recognized physical management and restraint practices, including, but not limited to, techniques that allow restraint in an upright or sitting position and information about the dangers created by prone restraint;
 - e. Methods to explain the use of restraint to the student who is to be restrained and to the student's family; and
 - f. Appropriate documentation and notification procedures.
3. Retraining shall occur at a frequency of at least every two years.

Exceptions

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

1. Certified peace officers or armed security officers working in a school and who meet the legal requirements of C.R.S. § 26-20-111(3); and
2. When the student is openly displaying a deadly weapon, as defined in C.R.S. § 18-1-901(3)(e).

Complaints

A student or a parent or legal guardian may file a complaint about the use of restraint or seclusion used by an employee or volunteer of the School utilizing the School's Grievance Policy and/or the state complaint procedures established pursuant to 1 CCR 301-45.

LEGAL REF.:

[C.R.S. § 18-1-703](#) (use of physical force by those supervising minors)
[C.R.S. § 18-1-901\(3\)\(e\)](#) (definition of a deadly weapon)
[C.R.S. § 18-6-401 \(1\)](#) (definition of child abuse)
[C.R.S. § 19-1-103 \(1\)](#) (definition of abuse and neglect)
[C.R.S. § 22-32-109.1 \(2\)\(a\)](#) (adoption and enforcement of discipline code)
[C.R.S. § 22-32-109.1 \(2\)\(a\)\(I\)\(D\)](#) (policy required as part of safe schools plan)

The Journey Starts Here...

[C.R.S. § 22-32-109.1 \(2\)\(a\)\(I\)\(L\)](#) (policies for use of restraint and seclusion on students and information on process for filing a complaint regarding the use of restraint or seclusion shall be included in student conduct and discipline code)
[C.R.S. § 22-32-109.1 \(9\)](#) (immunity provisions in safe schools law)
[C.R.S. § 22-32-147](#) (use of restraints on students)
[C.R.S. § 26-20-101](#) et seq. (Protection of Persons from Restraint Act)
[1 CCR 301-45](#) (State Board of Education rules for the Administration of the Protection of Persons from Restraint Act)

All other Academy Board policies will remain in full force. All discrepancies between this policy and others shall be brought to the attention and resolved by the CEO, or designee.

POLICY HISTORY

This policy supersedes any previously existing policy of The Academy of Charter Schools pertaining to the content herein.

The Board of Directors at The Academy approved the Grievance Policy on Monday, February 28, 2022.

Board Chairperson

Date

[Return to Agenda](#)

The Journey Starts Here...