

Mission Statement

*Develop responsible and
productive members of
society*

Strasburg School District
31-J

March 14, 2018 @ 6:30 p.m.

Board of Education

John Sampson, President

Nancy Taylor, 1st Vice President

Connie Lybarger, 2nd Vice
President

Robert Yaich, Secretary

Julie Winter, Treasurer

*Strasburg School Board strives to
follow our guiding principles:*

T – Transparency

R – Respect

U – Unity

T – Trust

H – Honesty

Agenda

SCHOOL DISTRICT BOARD ROOM

Meetings are held in the East video-conference room – Room 110.

Please enter the High School through the circle drive entrance.

The Board's meeting time is dedicated to the mission and goals of the Strasburg 31J School District. Your opinion is valuable to the Board. There is an opportunity during request from patrons to address the Board.

Members of the public who intend to offer public comment to the Board must sign up for comment with the Superintendent before each Board meeting. The Board President has discretion to call on those who have signed up and set the order of speakers.

(District students should identify themselves as such and they will be called upon first).

Presentations must be no more than three minutes.

There are many other ways to become involved with the schools such as district accountability committees, booster clubs, classroom parent volunteers, etc. For more information feel free to contact any of the schools or the administration office.

I. Opening of the Meeting

- a. Call to Order
- b. Roll Call
- c. Pledge of Allegiance
- d. Adoption of Agenda

II. Superintendent Report

- a. Carol Wethington – Student Achievement

III. Board Discussion

- a. Guest Speaker Wendy Pottorf, Region 2 CASB Director– School Finance

IV. Board Action items

- a. Personnel
 - i. Recommendation for hire:
 - 1. Amy Jordan, HMS volunteer track coach *page 4*
 - 2. Up-dated sub list. *page 5*
- b. Policy – Final Read
 - i. ADF-R School Wellness Regulation *page 7*
 - ii. GBK-R Staff Concerns Complaints and Grievances *page 9*
 - iii. JKA-E-2 Use of Physical Intervention and Restraint *page 10*
- c. Policy – Revision – Final Read
 - i. KBA-E School-Level Title I Parent and Family Engagement Exhibit *page 15*
 - ii. KBA District Title I Parent and Family Engagement *page 20*
 - iii. JRA-JRC Student Records Release of Information *page 27*
 - iv. JLC- Student Health Services and Records *page 34*
 - v. JFBB-R Inter-District Choice, Open Enrollment – Regulation *page 36*
 - vi. JFBB Inter-District Choice, Open Enrollment *page 40*
 - vii. JFABD-R Homeless Students – Regulation *page 43*
 - viii. JFABD Homeless Students *page 48*
 - ix. JF-E Admission and Denial of Admission – Exhibit *page 50*
 - x. JF Admission and Denial of Admission *page 52*
 - xi. GDE-GDF-R Support Staff Recruiting-Hiring Regulation *page 54*
 - xii. GDE-GDF Support Staff Recruiting/Hiring *page 58*
 - xiii. GDA – Support Staff Positions *page 61*
 - xiv. GCE-GCF-R Professional Staffing Recruiting, Hiring Regulation *page 62*
 - xv. GCE-GCF Professional Staff Recruiting Hiring *page 67*
 - xvi. EEA – Student Transportation *page 70*
- d. Policy New First Read
 - i. JRA-JRC-E-2 Opt-Out Form for Disclosure of Information *page 72*
 - ii. JFABE-R Students in Foster Care-Regulation *page 73*
 - iii. JFABE Students in Foster Care *page 78*
- e. Course Addition – HMS Cultural Exploration (Elective)

V. Consent Agenda

- a. Approval of the minutes of the February 14th, 2018 Regular Board Meeting. Approval of claims, accounts, and financial statements, as appropriate. *Page 80*

- b. As per Board action, financials are mailed out no later than 12 working days from the beginning of the month. The Board confirms approval of financials at its next regular meeting. Questions regarding information on the financials can be brought to the Board meeting.

VI. Adjournment

School Wellness

(Implementing Objectives)

Goal #1. The district will provide a comprehensive learning environment to promote the development and practice of lifelong wellness behaviors.

The goal of providing a comprehensive learning environment will be accomplished by:

- *The provision of age-appropriate and culturally sensitive instruction to students that teaches them lifelong healthy eating habits and a healthy level of physical activity.*
- *Active promotion of healthy eating and physical activity to students, parents, school staff and the community at school registration, parent-teacher meetings, open houses, staff in-services, etc.*

Goal #2. The district will implement and promote nutrition education and proper dietary habits contributing to students' health status and academic performance.

The goal of implementing and promoting nutrition education and proper dietary habits will be accomplished by:

- *An assurance that the school cafeteria is as pleasant an eating environment as possible, including displays of student art, plants, natural light if possible, small tables and reduced noise, if possible.*
- *A requirement that students be allowed at least 10 minutes to eat breakfast and at least 20 minutes to eat lunch, counting from the time they have received their meal and are seated.*
- *The encouragement of nonfood fundraisers, especially those promoting physical activity, such as walk-a-thons, jump rope for heart, fun runs, etc.*
- *A requirement that all students have access to a school facility with a sufficient number of functioning water fountains in accordance with local building codes, or other means to provide students with sufficient water. √]*

Goal #3. The district will promote healthy nutrition choices to create and encourage a healthy learning environment.

The goal of promoting healthy nutrition choices to create and encourage a health learning environment will be accomplished by:

- *To the greatest extent feasible, the marketing of food and beverage products on the exterior of vending machines and through posters, menu boards and other equipment on the school campus shall meet the Smart Snacks in School nutrition standards.*
- *Marketing shall encourage participation in school meal programs.*

Goal #4. The district will provide daily opportunities for students to engage in physical activity.

The goal of providing daily opportunities for students to engage in physical activity will be accomplished by:

- *A requirement that periods of physical activity be provided for elementary students in accordance with policy JLJ*, Physical Activity and consistent with requirements of state law.*
- *A requirement or encouragement that periods of physical activity be at least 225 minutes per week for secondary students.*
- *A requirement that all students have access to age-appropriate daily physical activity.*
- *Increased opportunities for physical activity through a range of after-school programs including intramurals, interscholastic athletics and physical activity clubs.*
- *Increased opportunities for physical activity during the school day through daily recess periods, elective physical education classes, walking programs and the integration of physical activity into the academic curriculum.*
- *An encouragement that schools follow the recommendations of the National Association of Sport and Physical Education (NASPE), which guide students through a process that enables them to achieve a high personal level of fitness.*
- *An encouragement that secondary schools administer a health-related fitness assessment to students to help students determine their own level of fitness and create their own fitness goals and plans.*
- *An encouragement that beginning at an early age, schools introduce developmentally appropriate components of a health-related fitness assessment to students.*
- *The availability of health-promotion activities and incentives for students, parents and staff that encourage regular physical activity, such as speakers, recreational demonstrations, and walking clubs.*

(Approval date)

Staff Concerns/Complaints/Grievances

Employee grievance procedure

The employee may choose a person to assist him or her at any step of the grievance procedure. Any costs resulting from such assistance shall be the employee's responsibility.

Individual or group grievances of employees shall be filed within 30 working days of the incident that is the subject of the grievance. Any grievance filed outside of this timeline shall not be considered pursuant to this regulation. A grievance shall be resolved as follows:

Step 1. The grievance shall first be presented in writing to the persons having direct administrative or supervisory responsibility over the work of the employee involved in the grievance. The written grievance shall: (1) explain the specific incident that is the subject of the grievance in sufficient detail; (2) include a description of prior attempts to resolve the matter and the results of these attempts; and (3) discuss the reasons why the employee(s) is/are not satisfied with the prior results. The supervisor or administrator shall render a written decision within 10 working days.

Step 2. If the grievance is not solved at Step 1, the employee(s) may present the written grievance to the superintendent who shall conduct a hearing within 10 working days of receipt of the report from Step 1 and shall render a written decision within 10 working days of the hearing.

Step 3. If the grievance is not solved at Step 2, the employee(s) may file a written request for review by the Board of Education, which will be held within 30 working days of receipt of the report from Step 2. The Board's review of the grievance may be held in executive session at the request of the employee(s), the superintendent or the Board. The decision of the Board shall be final and shall be made in writing within 15 working days of the Board's review.

Notwithstanding the steps of the grievance procedure described above, an employee may discuss any problem at any time with any district supervisor or administrator.

(Approval date)

NOTE: While Colorado school districts are not required by law to adopt an exhibit on this subject, this sample reflects the complaint procedures approved by the Colorado State Board of Education that parents may use to file a complaint regarding the use of restraint and seclusion. The district must include the process for filing a complaint as set forth by these State Board rules in the student conduct and discipline code distributed to students. C.R.S. 22-32-109.1 (2)(a)(I)(L).

Complaint Procedures and Regulations Regarding the Use of Restraint or Seclusion, 1 CCR 301-45, 2620-R-2.07

According to applicable rules of the Colorado State Board of Education, the following represents the process that must be followed when a student or the student's parent/guardian wishes to file a complaint about the use of restraint or seclusion by a district employee.

- 2.07(1) 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 a school or charter school of [a] school district or Board of Cooperative Services or any institute charter school by using the procedures established under this section 2.07.
- 2.07(2) Required Content of the Complaint: The Complaint must contain the following information:
 - 2.07(2)(a) A statement that the employee or volunteer has violated a requirement regarding the use of restraints and an identification of the portion of the statute, rule, or regulation alleged to have been violated, if known by the complainant;
 - 2.07(2)(b) The background information and facts on which the Complaint is based that identify persons, actions and/or omissions;
 - 2.07(2)(c) The name and the residential address of the child against whom the alleged violation occurred;
 - 2.07(2)(d) The name of the school that the child was attending when the alleged violation occurred;
 - 2.07(2)(e) A proposed resolution of the problem to the extent known and available to the complainant at the time the Complaint is filed;
 - 2.07(2)(f) The Complaint must allege that the violation(s) set forth in the Complaint occurred not more than one (1) year prior to the date that the Complaint is filed with the Colorado Department of Education (CDE);

- 2.07(2)(g) The signature and contact information (minimally, address and telephone number) for the complainant; and
 - 2.07(2)(h) Written verification in a cover letter accompanying the Complaint that a complete copy of the Complaint and any attachments have also been mailed, hand-delivered, or delivered by other secure method to the public education agency (i.e. a school district, BOCES, or the Charter School Institute) serving the child.
- 2.07(3) The Complaint, including any attachments, must be mailed, hand-delivered, or delivered by other secure method to the IDEA State Complaints:
- IDEA Part B State Complaints Officer
Colorado Department of Education
Exceptional Student Leadership Unit, Dispute Resolution Office
1560 Broadway, Suite 1175
Denver, Colorado 80202
- Additionally, as noted in paragraph 2.07(2)(h) above, a complete copy of the Complaint, including any attachments, must also be mailed, hand-delivered, or delivered by other secure method to the public education agency (i.e. a school district, BOCES or the Charter School Institute) serving the child.
- 2.07(4) Complaints involving children with disabilities
- 2.07(4)(a) If the State Complaints Officer determines that the Complaint alleges a violation of the IDEA or its implementing regulations in 34 CFR Part 300, then the Complaint shall be processed through CDE's IDEA dispute resolution process. In these cases, the State Complaints Officer shall also have the authority to investigate and process a Complaint alleging improper use of seclusion and restraints in accordance with the timelines and procedures outlined in these rules.
 - 2.07(4)(b) If the State Complaints Officer determines that the Complaint does not meet the criteria under section 2.07(4)(a), he or she shall refer the Complaint to the Restraint Complaints Officer (RCO) within five (5) calendar days of receiving the Complaint and shall notify the complainant in writing of this referral.
 - 2.07(4)(c) Nothing in this subsection shall require the complainant to submit an additional Complaint directly to the RCO.
- 2.07(5) The Complaint shall be considered properly filed with the Department when it is received in CDE's Dispute Resolution Office and satisfies paragraph 2.07(2) above. A Complaint, once filed, will not be accepted for investigation if the CDE does not have jurisdiction (i.e., authority) to investigate; or if the Complaint does not set forth sufficient grounds on

which to grant relief.

2.07(6) Within ten calendar (10) days of receipt of the Complaint, the RCO shall decide to accept or reject the Complaint for investigation and notify the complainant in writing. If the Complaint was sent via mail, the RCO's decision shall be postmarked by the 10th day. If the Complaint is accepted, the RCO shall:

2.07(6)(a) Notify the complainant of receipt and acceptance of the Complaint;

2.07(6)(b) Notify, by certified or overnight mail, the public education agency of each and every allegation contained in the Complaint together with a complete copy of the Complaint; and

2.07(6)(c) Initiate an investigation concerning the allegations contained in the Complaint.

2.07(7) Complaint Timelines:

2.07(7)(a) Response: Within fifteen (15) calendar days of receiving the RCO's notification of the Complaint, the public education agency may file a Response to the Complaint allegations and provide information which it deems necessary or useful for the RCO to consider in conducting a thorough investigation. If the public education agency fails to timely respond to an allegation, the RCO may, in his/her sole discretion, deem the allegation admitted.

The Response is due by 5:00 p.m. on the date due. The public education agency shall provide any written Response to the RCO and also a complete copy of the Response, including any attachments, to the complainant unless doing so would violate relevant laws regarding confidentiality. The public education agency shall provide the RCO with a legible copy of the written tracking receipt which verifies that a complete copy of the Response, including any attachments, was sent by certified or overnight mail to the complainant.

2.07(7)(b) Reply: Within ten (10) calendar days of delivery of the response, the complainant may file a written Reply to the Response, including any attachments, in support of his/her position. The complainant shall provide any written Reply to the RCO at the address identified in paragraph 2.07(3), above, and also provide the RCO by 5:00 p.m. on the date due with written verification that a complete copy of the Reply, including any attachments, was also mailed or hand-delivered to the public education agency.

The Response and Reply must be delivered by 5:00 p.m. on the date due to the office of the RCO and not merely

postmarked by the due date. If the Response or Reply is untimely, the RCO may, within his or her sole discretion, refuse to consider the late document.

2.07(7)(c) Timeline Extensions: If the RCO finds that exceptional circumstances exist with respect to a particular Complaint, the RCO may, in his or her sole discretion, extend for a reasonable period of time, any of the timelines set forth in these Complaint procedures. Any request and extension of a timeline must occur prior to expiration of the timeline and shall be documented in a written order issued by the RCO prior to the expiration of the timeline and mailed to the parties. The RCO does not have authority to extend the regulatory statute of limitations of one (1) year described in Section 2.07(2)(f) above.

2.07(7)(d) If one or more due dates in the process fall on a weekend or a state holiday, the due date shall be the next calendar day following a weekend or state holiday if the due date is on a weekend or state holiday.

2.07(8) Complaint Investigations:

2.07(8)(a) The Complaint investigation may include, but is not limited to: an onsite investigation; request(s) that the complainant or public education agency provide additional information; and request(s) to review records in the possession of either party.

2.07(8)(b) Any time after a Complaint is filed and before the Complaint is resolved, the RCO may recommend a public education agency to undertake immediate action in an extraordinary situation when it is imperative to do so in order to protect the rights, health or safety of any student.

2.07(8)(c) The CDE, through the RCO, shall have sixty (60) calendar days from the date of receipt of the properly filed Complaint, to resolve the Complaint. The parties may mutually agree to extend the sixty (60) calendar day time limit in order to engage in voluntary mediation. Any extension of the Decision due date will be set by the RCO to a date certain as per section 2.07(7)(c), above.

2.07(9) Complaint Resolution:

2.07(9)(a) The RCO shall issue a written decision which details the findings of fact and conclusions of law unless the issues have been previously resolved. Based upon a finding that a public education agency has failed substantially to comply with state laws and regulations for the use of restraint, the RCO will, as part of the resolution of the Complaint, make recommendations to the public education agency of remedial actions that may be taken in order to come into compliance

with applicable law and regulations, (e.g., technical assistance and training activities).

2.07(9)(b) The RCO shall have no authority to require corrective action by the public education agency, including but not limited to compensatory education for the child who is the subject of the complaint, monetary reimbursement or attorney fees.

2.07(9)(c) The decision of the RCO shall be final.

(Issue date)

School-Level Title I Parent and Family Engagement Involvement (School/Parent Compact)

NOTE: If the school has a Title I Schoolwide Program, this policy and compact apply to all parents in the school. If the school has a Targeted Assistance Program, this policy applies only to parents of students receiving Title I services. Parents to which this policy applies will be invited and encouraged to participate in developing the school/parent compact.

This policy and compact have been jointly developed and agreed upon by the Strasburg Elementary School and parents and families of students served in the school pursuant to Title I (hereafter referred to as “parents”).

Policy

The administration, staff, and parents and family members of this school believe that the improved academic achievement of each student is a responsibility shared by the entire school community, including the school district, school, community members, school administration, staff, students, and parents (as defined for purposes of this policy to include guardians and all members of a student’s family involved in the student’s education).

Parent and family engagement involvement activities in the school will include opportunities for:

- Parents to volunteer and be involved in school activities
- Staff development and parent education
- Parents to provide home support for their student’s education
- Parents to participate in school decision-making
- Effective communication between the school and parents

Compact

NOTE: The following list of responsibilities is a starting place for your discussions. The parents, administration and staff of each school should have a conversation about and agree upon expectations that will meet the unique needs of students in their particular school. The responsibilities listed in regular type below are required to be included in the school/parent compact by the Every Student Succeeds No-Child Left Behind Act. However, you may wish to add to them or bring further specificity to some that are listed (as indicated by the additional material in italics).

The school-parent compact should be developed and agreed upon by all interested parents as a group. If appropriate, as determined by individual staff members and parents, individual compacts, based on the school compact, may then be developed. In such case, staff members and parents should feel free to include additional responsibilities or bring more specificity to responsibilities already listed.

Responsibilities of school

The school will:

- Provide a high-quality curriculum and instruction in a supportive and effective learning environment enabling students to meet the district's academic standards.
- Involve parents in an organized, ongoing and timely way in the planning, review and improvement of Title I programs, plans and policies.

School Parent and Family Engagement Involvement Policy, the administration will:

- Facilitate and implement the Title I Parent and Family Engagement Involvement Policy.
- Involve parents in the planning, review and improvement of the School Parent and Family Engagement Involvement Policy at least annually.
- Provide notice to parents of the School Parent and Family Engagement Involvement Policy in an understandable and uniform format and to the extent practicable, in a language the parents can understand.
- Make the School Parent and Family Engagement Involvement Policy available to the community.

With regard to parent meetings, the administration will:

- Convene annual meetings to inform parents of their school's participation in Title I, the requirements of Title I and the right of parents to be involved.
- Inform parents of all meetings and encourage and invite parents to attend. Meetings shall be offered at various convenient dates and times to facilitate attendance by parents.

With regard to Title I Programs and Plans, the administration will:

- Inform parents about the goals and purposes of Title I, any Title I programs at the school, the curriculum used in the programs, the academic assessments used to measure student progress, and the proficiency levels students are expected to meet.
- Involve parents in the planning, review and improvement of any Title I programs at the school.
- If the Title I plan is not satisfactory to the parents, submit any parent comments on the plan when it is submitted to the district.
- If requested by parents, provide opportunities for regular meetings of parents and the school where parents may offer suggestions and ask questions regarding Title I policies and programs.
- Administrators will provide timely responses to parents' suggestions and questions.
- Provide assistance to parents, as appropriate, in understanding such topics as the district's academic standards, state and district local academic assessments, the requirements of Title I, how to monitor their student's academic progress and how to work with school staff to improve the achievement of the student.

With regard to professional development, the administration will:

- With the assistance of parents, educate teachers, specialized instructional support student services personnel, principals and other school leaders and staff in:
 - the value and utility of contributions of parents
 - how to reach out to, communicate with, and work with parents as equal partners
 - implementing and coordinating parent programs
 - building ties between parents and the school

With regard to the coordination with other programs, the administration will:

- To the extent feasible and appropriate, coordinate and integrate parent engagement involvement programs and activities with other relevant federal, state and local laws and programs, (including public preschools), Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and public preschool and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their students.

Shared responsibilities of administration and staff

Administration and staff will:

- Provide assistance to parents, as appropriate, in understanding such topics as the district's academic standards, state and district local academic assessments, the requirements of Title I, how to monitor their student's academic progress and how to work with school staff to improve the achievement of the student.
- Provide materials and training to help parents work with their student to improve the student's achievement, such as literacy training and using technology (including education about the harms of copyright privacy) as appropriate, to foster parental engagement involvement.
- Ensure that all information related to school and parent programs, meetings and other activities is sent to parents in a format and, to the extent practicable, in a language the parents can understand.
[Note: This may mean not only in a language that is something other than English, but also to address the education level and other factors that affect comprehensibility].
- Provide such other reasonable support for parental engagement involvement activities as parents may request.
- *[Provide access to educational resources for parents to use together with their students.]*

Responsibilities of staff

The staff will:

- Assist the administration in facilitating and implementing the Title I Parent and Family Engagement Involvement Policy and parent engagement involvement activities.
- Advise parents of their student's progress on a regular basis.

- Be readily accessible to parents and provide opportunities for parents to meet with them on a regular basis to discuss their student's progress and to participate as appropriate in the decisions relating to their student's education. For elementary schools *[may want to include this provision for all grade levels]*, at least one parent/teacher conference shall be held each year during which the School-Level Title I Parent [and Family Engagement Involvement](#) Policy (School/Parent Compact) will be discussed as it relates to the student's achievement.
- Provide opportunities for parents to volunteer and participate in their student's class and observe classroom activities.
- [Ensure regular two-way, meaningful communication between parents and school staff, and, to the extent practicable, in a language that parents can understand.](#)

Responsibilities of parents

Parents will:

- Support their student's learning at home by:
 - monitoring attendance
 - monitoring completion of homework
 - monitoring television watching
 - encouraging positive use of extracurricular time
- Volunteer in the classroom.
- Participate, as appropriate, in decisions related to their student's education.
- *[Participate in school activities on a regular basis.]*
- *[Actively communicate with school staff regarding their student's needs and circumstances.]*
- *[Be aware of and follow rules and regulations of the school and school district.]*

[NOTE: In addition to the responsibilities listed above, the school and parents may wish to consider other discretionary ideas provided in the parent involvement section of "No Child Left Behind". Be sure to determine whether the District Title I Parent Involvement Policy provides any direction on these specific ideas before incorporating them into the School-Level Title I Parent Involvement Policy.]

NOTE: The law does not require school personnel and parents to sign the School/Parent Compact. However, if the school and parents feel signing the School/Parent Compact will be helpful, signatures may be encouraged.

School staff member: _____ Date: _____

Name (print) Title

Parent: _____ Date: _____

Name (print) Signature

[Revised January 2018 February 2015]
COLORADO SAMPLE EXHIBIT 2003©

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Revised Sample Policy

File: KBA

NOTE: All school districts receiving Title I funds are required by law to adopt a policy on parent and family engagement involvement. The district and parents of students participating in Title I programs must meet, discuss and jointly develop the content of this policy to cover the specific legal requirements mentioned below. THIS SAMPLE POLICY IS A TEMPLATE ONLY. PARENTS MUST BE INVOLVED IN DEVELOPING THE DESCRIPTIONS TO BE INSERTED IN THE BLANK LINES.

District Title I Parent and Family Engagement Involvement

Pursuant to federal law, the district and the parents of students participating in Title I district programs have jointly developed the following parent and family engagement involvement policy to establish the district's expectations and objectives for meaningful parent and family engagement. The policy shall be implemented by the superintendent or designee according to the timeline set forth in the policy and incorporated into the district's Title I plan.

Engagement involvement with Title I planning

The district shall hold an annual meeting for parents and families of students in Title I programs, as well as school Title I staff, principals of schools receiving Title I funds and other interested persons to discuss the Title I program plan, review implementation of the Title I plan, discuss how Title I funds allotted for parent and family engagement involvement activities shall be used, and invite suggestions for improvement.

District support for parent and family engagement involvement

The district shall provide coordination, technical assistance and other support necessary to assist participating schools in building the capacity for effective parent and family engagement strong parent involvement activities to improve student academic achievement and school performance.

~~NOTE: The Colorado Department of Education has a comprehensive list of research-based, high-impact strategies for student achievement that the district may wish to consider in developing its identified supports and strategies.~~

This coordination, assistance and support shall include: ~~[insert here a jointly developed description of support for parent and family engagement involvement the district will provide.]~~

- ~~• The District's Title I staff member and Rtl coordinator will work as the District's Parent Involvement Coordinators.~~
- ~~• Community based parent organizations are encouraged to become involved in the District's Title I parent involvement activities.~~
- ~~• The District shall support the attendance of staff and parents to teacher development training and in-service, parent-teacher development activities.~~

- School-based parent involvement activities, such as open house and parent/teacher conferences.
- The District will develop a schedule for volunteers to work in classrooms.

[Some ideas for support might include:

- designation of a District Parent and Family Engagement Involvement Coordinator
- creation of a District Parent Advisory Council to provide advice on all matters related to parent and family engagement involvement in programs supported by Title I funds
- development of district protocols for appropriate roles for community based organizations and businesses in parent and family engagement involvement activities
- adoption of district model approaches to improving parent and family engagement involvement at the school level
- allocating district resources to parent and family engagement involvement activities, beyond minimum legal requirements
- requiring a Parent and Family Engagement Involvement Coordinator at each Title I school
- providing professional development regarding parent and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents and family members
- engaging in activities and strategies to promote student achievement and learning at home, such as positive phone calls home and weekly data sharing folders
- supporting programs that reach parents and family members at home, in the community and at school
- disseminating information on best practices focused on parent and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents and family members]

The district, with the assistance of parents, shall develop and implement a district professional development plan to enhance the skills of teachers, student services personnel, principals and other staff in:

- the value and utility of contributions of parents
- how to reach out to, communicate with, and work with parents as equal partners
- implementing and coordinating parent programs
- building ties between parents and the school

[Though the professional development plan does not need to appear in policy, it must be developed and implemented by the district with parent input.]

Coordination of parent and family engagement involvement activities with other district programs

The district shall, to the extent feasible and appropriate, coordinate and integrate parent and family engagement involvement programs and activities with other relevant federal, state, and local laws and programs (including public preschools) Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, and district preschool and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents and family members in more fully participating in the education of their students. *[Insert here a jointly developed description of how the district will accomplish this. This might include requiring quarterly meetings of staff involved in these programs, coordination of written materials to parents regarding these programs, etc.]*

Student learning

The district shall coordinate and integrate Title I parental and family engagement involvement strategies with those of other educational programs in the district. The purpose of this coordination shall be to improve the academic quality of the schools served, including identifying challenges barriers to greater participation by parents and families in activities authorized by law, particularly by parents and family members who:

- are economically disadvantaged
- have disabilities
- have limited English proficiency
- have limited literacy
- are of any racial or ethnic minority background
- are parents of migratory children

The District shall support Parent Nights, One-on-one conferences with Title I teachers, and Educational nights provided by the staff. [Insert here a jointly developed description of how the district will accomplish this. The specifics of this description will depend heavily on the specific challenges barriers being experienced by parents in your district.]

NOTE: The Colorado Department of Education has extensive resources on its website to help families and communities better understand the goals and outcomes of the Colorado Academic Standards.

The district shall provide to parents and families, as appropriate, information to help them understand the district's academic standards, state and district local academic assessments, the requirements of Title I, how to monitor students' academic progress and how to work with school staff to improve the achievement of students. The district shall develop written materials and training for staff to help parents and families work with students to improve student achievement.

- One-on-one meetings
- Open house
- Presentations by staff

[Insert here a jointly developed description of how the district will accomplish this. The district could provide support for school-level training for parents in literacy, using technology, and other areas that will foster parental and family engagement involvement.]

School-based parent and family engagement involvement activities

- Communicating-communication between home and school is regular, two-way and meaningful. This shall be done via newsletters specifically designed for parents of Title I students.
- Parenting skills are promoted and supported via the newsletter
- Parents play an integral role in assisting student learning. Thanks to the newsletter and the conferences the Title I teacher holds through the year, we are able to extend resources to parents.
- School decision making and advocacy – parents are full partners in the decisions that affect children and families via parent/teacher conferences and other communications between regular education teacher, Title I teacher and parent.
- Collaborating with the community – community resources are used to strengthen schools, families and student learning via assistance from the ECBOCES if necessary.

[Insert here a jointly developed description of how parents and families will be encouraged to support student learning at home and become involved in the activities of schools with Title I programs, e.g., school accountability committees, parent-teacher organizations and volunteering.]

[There are many resources available on CDE's website to help provide researched-based ideas on parent involvement, including family engagement "promising practices" trainings. Another resource is the parent involvement framework developed by Joyce Epstein and colleagues and subsequently translated into standards by the National Parent Teacher Association. The standards are as follows:

- ~~Communicating—communication between home and school is regular, two-way and meaningful~~
- ~~Parenting—parenting skills are promoted and supported~~
- ~~Student learning—parents play an integral role in assisting student learning~~
- ~~Volunteering—parents are welcome in the school, and their support and assistance are sought~~
- ~~School decision making and advocacy—parents are full partners in the decisions that affect children and families~~
- ~~Collaborating with the community—community resources are used to strengthen schools, families and student learning~~

~~These standards could be re-framed as expectations for how parents will be involved in activities at Title I schools.]~~

Method of communicating with parents and families

All information related to school and parent programs, meetings and other activities shall be sent to parents and family members in a format and, to the extent practicable, in a language the parents and family members can understand.

Annual evaluation

The district shall conduct, with the meaningful engagement involvement of parents and family members, an annual evaluation of the content and effectiveness of this policy. Effectiveness shall be measured in part by improvements in student academic achievement and in school performance.

The evaluation shall address the needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers and strategies to support successful school and family interactions. The evaluation shall specifically address challenges barriers to greater participation by parents and family members in activities authorized by law, particularly by parents and family members who:

- are economically disadvantaged
- have disabilities
- have limited English proficiency
- have limited literacy
- are of any racial or ethnic minority background
- are parents of migratory children

The district shall use the findings of the evaluation to design evidence-based strategies for more effective parental and family engagement involvement and to revise, if necessary, this policy.

The district shall provide such other reasonable support for parent and family engagement ~~parental involvement~~ activities as parents may request.

Development of school-level Title I parent engagement ~~involvement~~ policy

Each school receiving Title I funds shall jointly develop with agree on, and distribute to parents and family members of students participating in the Title I program (hereafter referred to as “parents”) a written School-Level Title I Parent and Family Engagement Involvement Policy establishing the district’s expectations and objectives for meaningful parent and family engagement agreed upon by the parents in accordance with the requirements of federal law.

The policy shall contain a school-parent compact or agreement that outlines how parents, school staff and students will share the responsibility of improved student academic achievement and the means by which the school and parents will build and develop a partnership to help students. *[Note: At a minimum, the compact shall include the provisions contained in the sample exhibit (KBA-E) accompanying this sample policy.]*

Adopted: 2006

Revised: 2-10-2016(~~Adoption date~~)

LEGAL REFS.: 20 U.S.C. 6301 *et seq.* (Elementary and Secondary Education Act of 1965 as amended by the Every Student Succeeds Act-No Child Left Behind Act of 2001)

Title I, Part A, Section 1112 (~~a-g~~) (parent role in the development of district Title I plan involvement and notifications in districts using Title I funds to provide language instruction to limited English proficient students)

Title I, Part A, Section 1112 (e) (information for parents concerning teacher qualifications, assessments and language instruction)

Title I, Part A, Section 1114 (b)(1)(F) (~~Schoolwide Reform Program must include strategies to increase parent involvement~~)

Title I, Part A, Section 1114 (b)(2) (eligible school that desires to operate a schoolwide program must develop a comprehensive reform plan with involvement of parents and other community members)

Title I, Part A, Section 1115 (~~(b)(2)(E)(c)(1)(g)~~) (Targeted Assistance Program must include parent involvement strategies)

Title I, Part A, Section 1116 (a)(~~1~~)(D) (parent and family engagement policy school districts receiving Title I funds must review effectiveness of parent involvement actions and activities at schools)

Title I, Part A, Section 1118 (Title I parent involvement requirements)

Title I, Part C, Section 1304 (~~(c)(b)(3)~~) (parent involvement in projects and programs and notifications in districts using Title I funds for the education of migratory children)

Title I, Part F, Section 1606 (a)(7) (~~Comprehensive School Reform Grant Program parent involvement requirements~~)

Title II, Part A, Section 2123 (a)(3)(B)(iv) (preparing and training for highly qualified teachers and principals Grant Program parent involvement provisions)

C.R.S. 22-11-101 *et seq.* (Education Accountability Act of 2009)

CROSS REFS.: ADA, School District Educational Objectives
AE, Accountability/Commitment to Accomplishment
AEA, Standards Based Education
IHBIB, Primary/Preprimary Education
IKA, Grading/Assessment Systems
KD, Public Information and Communications

[Revised January 2018 ~~November 2015~~]
COLORADO SAMPLE POLICY 2003©

Student Records/Release of Information on Students

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

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

Content and custody of student education records

The principal is the official custodian of records in his or her building.

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

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

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

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

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

Access to student education records by parents and eligible students

A parent/guardian ("parent") has the right to inspect and review his or her child's education records, if the student is under 18 years of age. If a student is 18 years

old or older ("eligible student"), the student may inspect or review his or her own education records and provide written consent for disclosure of such records and personally identifiable information therein. However, the parent is also entitled to access his/her child's education records, despite the lack of written consent from the eligible student, if the eligible student is a dependent for federal income tax purposes or the disclosure is in connection with a health or safety emergency. Access to student education records by parents or eligible students shall be in accordance with the regulation accompanying this policy.

Request to amend student education records

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

Disclosure with written consent

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

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

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

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

Disclosure without written consent

The district may disclose student education records or personally identifiable information contained therein without written consent of the parent or eligible student if the disclosure meets one of the following conditions:

1. The disclosure is to a school official having a legitimate educational interest in the student education record or the personally identifiable information contained therein. In accordance with law, only those school officials who have a legitimate educational interest as described in this policy shall be permitted access to specific student education records.

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

9. The disclosure is in connection with an emergency, if knowledge of the information is necessary to protect the health or safety of the student or others.
10. The disclosure is to comply with a judicial order or lawful subpoena. The district shall make a reasonable effort to notify the parent or eligible student prior to complying with the order or subpoena unless:
 - a. The court order or subpoena prohibits such notification; or
 - b. The parent is a party to a court proceeding involving child abuse and neglect or dependency matters and the court order is issued in the context of that proceeding.
11. The disclosure is to the Secretary of Agriculture, or authorized representative from the USDA Food and Nutrition Service or contractors acting on behalf of the USDA Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations and performance measurements of state and local educational agencies receiving funding or providing benefits of program(s) authorized under the National School Lunch Act or Child Nutrition Act.
12. The disclosure is to an agency caseworker or other representative of a state or local child welfare agency or tribal organization who has the right to access the student's case plan because such agency or organization is legally responsible, in accordance with applicable state or tribal law, for the care and protection of the student.
13. The disclosure is of "directory information" as defined by this policy.

Disclosure of directory information

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

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

NOTE: FERPA requires the district to notify parents and eligible students of their right to refuse disclosure of directory information. 34 C.F.R. 99.37 (a)(2). The district must specify a “period of time” for parents/eligible students to tell the district not to disclose directory information. 34 C.F.R. 99.37 (a)(3). The following paragraph meets this “period of time” requirement. The deadline for notification should be a reasonable amount of time (e.g. 2-3 weeks) after school starts to allow the parent/eligible student to determine whether directory information can be disclosed without prior written consent.

The parent or eligible student has the right to refuse to permit the designation of any or all of the categories of directory information if such refusal is received in writing in the office of the principal of the school where the student is in attendance no later than August 1 or the following Monday if August 1 is a Saturday or Sunday.

Disclosure of disciplinary information to school personnel

In accordance with state law, the principal or designee shall communicate disciplinary information concerning any student enrolled in the school to any teacher who has direct contact with the student in the classroom and to any counselor who has direct contact with the student. Any teacher or counselor to whom disciplinary information is reported shall maintain the confidentiality of the information and shall not communicate it to any other person.

State law requires the principal or designee to inform the student and the student's parent when disciplinary information is communicated and to provide a copy of the shared disciplinary information. The student and/or the student's parent may challenge the accuracy of such disciplinary information through the process outlined in this policy and accompanying regulation.

Disclosure to military recruiting officers

Names, addresses and home telephone numbers, as well as directory information, of secondary school students shall be released to military recruiting officers within 90 days of the request, unless a parent or [eligible](#) student submits a written request that such information not be released. Reasonable and customary actual expenses directly incurred by the district in furnishing this information will be paid by the requesting service.

Disclosure to Medicaid

In all cases in which a student is enrolled in the Colorado Medicaid program, the district shall release directory information consisting of the student's name, date of birth and gender to Health Care Policy and Financing (Colorado's Medicaid agency) to verify Medicaid eligibility of students. The district shall obtain written consent annually from a parent before the release of any non-directory information required for billing. To accomplish this, the district shall:

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

Disclosure to the Colorado Commission on Higher Education (CCHE)

On or before December 31 of each school year, the school district shall disclose to the CCHE the names and mailing addresses of those students enrolled in the eighth

grade for use in mailing the notice of postsecondary educational opportunities and higher education admission guidelines as required by state law.

Annual notification of rights

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

A copy of the Family Educational Rights and Privacy Act, and this policy and accompanying regulation and exhibit may be obtained from the office of the superintendent during normal business hours.

Governing law

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

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

Adopted: 2006

Revised: 3-8-2017

LEGAL REFS.: 20 U.S.C. 1232g (*Family Educational Rights and Privacy Act*)
20 U.S.C. 7908 (*military recruiter [access to student records information contained in No Child Left Behind Act of 2001](#)*)
34 C.F.R. 99.1 *et seq.* (*FERPA regulations*)
34 C.F.R. 300.610 *et seq.* (*IDEIA regulations concerning confidentiality of student education records*)
C.R.S. 19-1-303 and 304 (*records and information sharing under Colorado Children's Code*)
C.R.S. 22-1-123 (*district shall comply with FERPA*)
C.R.S. 22-32-109 (1)(ff) (*duty to establish policy on disclosing eighth grade students names and mailing addresses to the Colorado Commission on Higher Education*)
C.R.S. 22-32-109.1 (6) (*duty to establish policy on sharing information consistent with state and federal law in the interest of making schools safe*)
C.R.S. 22-32-109.3 (2) (*duty to share disciplinary and attendance information with criminal justice agencies*)
C.R.S. 22-33-106.5 (*court to notify of conviction of crime of violence and unlawful sexual behavior*)
C.R.S. 22-33-107.5 (*school district to notify of failure to attend school*)
C.R.S. 24-72-204 (2)(e) (*denial of inspection of materials received, made or kept by Safe2Tell Program*)
C.R.S. 24-72-204 (3)(a)(VI) (*schools cannot disclose address and phone number without consent*)

C.R.S. 24-72-204 (3)(d) *(information to military recruiters)*
C.R.S. 24-72-204 (3)(e)(I) *(certain FERPA provisions enacted into Colorado Law)*
C.R.S. 24-72-204 (3)(e)(II) *(disclosure by staff of information gained through personal knowledge or observation)*
C.R.S. 24-72-205 (5) *(fee for copying public record)*
C.R.S. 25.5-1-116 *(confidentiality of HCPF records)*

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

Student Health Services and Records

The purpose of the school health program shall be to supplement the efforts and guidance of parents/guardians to raise student awareness of the benefits of regular health care.

The objectives of the school health program are:

1. To promote good health habits among students.
2. To stimulate a sanitary, safe and healthful environment in school.
3. To assist in the identification and referral to appropriate health care providers for medical, psychological and physical needs.

Health records

Health records shall be maintained by the nursing staff and kept in a separate and secure health file in the school health office. ~~Health records of students with human immunodeficiency virus/Acquired Immune Deficiency Syndrome (HIV/AIDS) shall be kept in a locked environment to maintain confidentiality.~~

Access to the health files shall be limited to only those school personnel who have a specific and legitimate educational interest in the information for use in furthering a student's academic achievement or maintaining a safe and orderly teaching environment. ~~Access to the health files of students with HIV/AIDS shall be limited to those with written permission from the student and/or parent/guardian and to emergency medical personnel.~~

The nursing staff shall maintain a log showing who has been given access, when access occurred and to which specific records.

Annual screening programs

The sight and hearing of all students in kindergarten, first, second, third, fifth, seventh and ninth grades or students in comparable age groups referred for testing shall be tested during the school year by the school nurse, teacher, principal or other qualified person authorized by the school district, as required by law. These screenings shall not be required of any student whose parent/guardian objects on religious or personal grounds.

The parent/guardian shall be informed when a deficiency is found.

Dental health

The school district shall participate in programs to encourage good dental health including instruction, dental examination clinics when available and referral to agencies which can provide aid for those in need.

Communicable diseases

Students showing symptoms of a communicable disease, an infectious condition, or illness or disability of a serious nature shall be referred to the school nurse. The school nurse shall report the presence of a communicable disease, if action is necessary to protect the health of other students and staff.

Adopted: 2006

LEGAL REFS.: 20 U.S.C. 7906 (*prohibition against the use of Title I funds to operate a program of contraception distribution in the schools*~~*contained in No Child Left Behind Act of 2001*~~)

C.R.S. 13-22-102, 103 (*minors may consent to medical treatment*)

C.R.S. 22-1-116 (*vision and hearing tests*)

C.R.S. 25-4-402 (*parental consent not required to treat minor for sexually transmitted infection*)

C.R.S. 25-4-901 *et seq.* (*school entry immunization*)

C.R.S. 25-6-102 (*dissemination of contraceptive information*)

6 CCR 1010-6, Rule 6.13 (*requirements for health services in schools*)

CROSS REFS.: GBEB, Staff Conduct (And Responsibilities)

JF, Admission and Denial of Admission

JLCB, Immunization of Students

JLCC, Communicable/Infectious Diseases

JLCD, Administering Medications to Students

JLCEA*, Students with Special Health Needs

JLDAC, Screening/Testing of Students (and Treatment of Mental Disorders)

NOTE: Each school district must contract with a registered nurse to provide oversight for student health care, including training and supervision of unlicensed school staff to administer medication to students and carry out medical orders for students with special health care needs. 6 CCR 1010-6, Rule 6.13(A).

[Revised January 2018~~November 2015~~]

COLORADO SAMPLE POLICY 1991©

Inter-District Choice/Open Enrollment

The district will consider ~~enrollment admission~~ requests from Colorado students who do not reside within the boundaries of the school district but who wish to attend a particular school or program within the district in accordance with the following regulations:

1. Determination of residency

Any questions about a student's residency status must be resolved prior to application for ~~open enrollment admission~~. These regulations apply to all Colorado students who do not reside within the boundaries of the school district.

2. Requests for ~~open enrollment admission~~

Requests for ~~open enrollment admission~~ as a nonresident student must be initiated by the parent/guardian by filing the approved form with the principal of the school which the student wishes to attend (receiving school) prior to July 1 for enrollment in the following academic year.

Forms will be available in every school building and in the central administrative office. The principal will explain to the parent/guardian the procedures used to process ~~open enrollment admission~~ requests.

Students must submit an ~~open enrollment admission~~ request in accordance with these regulations for each school or program requested within the district. Each principal will maintain a file of all enrollment requests received from nonresidents. A copy will be forwarded to the central office for district-wide data collection purposes.

The receiving school principal will make the decision as to whether an application is accepted or rejected based on criteria established in state law and Board policy and regulations. The receiving school principal will be responsible for notifying the parent/guardian and student of approval or disapproval of an ~~open enrollment admission~~ request no later than August 1.

Approval of a request to enroll in the district will be conditioned on compliance with each of the following:

- a. Actual enrollment and attendance prior to the pupil enrollment count day of the following academic year.
- b. Satisfaction of all district requirements for ~~enrollment admission~~.

In the event any information is falsified or withheld from the district during the enrollment admission process, approval for open enrollment admission will be withdrawn.

Those students who apply for open enrollment admission who are not accepted at the time of application will be placed on a waiting list in the order in which the applications are received and will be considered for approval at a later date if space becomes available. The waiting list will be maintained until May 1 of each year, after which a new listing will be developed for the next 12 months.

3. **Grounds for denial of open enrollment admission**

An open enrollment request ~~A request for admission~~ may be denied at any time if:

- a. There is a lack of space or teaching staff in a particular program or school requested, in which case priority will be given to resident students applying for enrollment in admission to the program or school.
- b. The school requested does not offer appropriate programs for the student, is not structured or equipped with the necessary facilities to meet the student's special needs or does not offer the particular program requested.
- c. The student does not meet the established eligibility criteria for participating in a particular program including age requirements, course prerequisites and required levels of performance.
- d. A desegregation plan is in effect for the school district, and denial is necessary in order to enable compliance with the desegregation plan.
- e. The student has been expelled from any school district during the preceding 12 months.
- f. The student has demonstrated behavior in another school district during the preceding 12 months that is detrimental to the welfare or safety of other students or of school personnel including but not limited to behavior that has resulted in an out-of-school suspension.
- g. The student has graduated from the 12th grade of any school or is in receipt of a document evidencing completion of the equivalent of a secondary curriculum.

4. **Criteria to determine availability of space or teaching staff**

Enrollment requests are subject to space availability in the school requested contingent upon district class size guidelines and subject to availability as determined by the receiving principal taking enrollment projections into consideration. Students whose enrollment requests have been approved will be assigned to classrooms on the basis of available staff and support services as well as the best use of classroom space.

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

Open enrollment Admission granted to one child in a family will not necessarily support enrollment of another child from the same family.

5. Eligibility for activities

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

6. Continuing enrollment criteria

Any student enrolled pursuant to these procedures and accompanying Board policy shall be allowed to remain enrolled in the school or program through the end of the school year unless the student is expelled from the school or program or the district determines that the student's application contained material misstatements or omissions.

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

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

7. Appeal procedure

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

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

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

Adopted: 1-2011
Revised: 10-11-2017

| [Revised January 2018-June 2017]
COLORADO SAMPLE REGULATION 1994©

Inter-District Choice/Open Enrollment

The Board recognizes that students may benefit from having a choice of schools to attend within the public school system that is not limited by school district boundaries.

Nonresident students from other school districts within the state who are accepted pursuant to the regulations approved by the Board may enroll in particular programs or schools within this district on a space available basis without payment of tuition, except as otherwise provided by law.

In providing for [the open enrollment admission](#) of nonresident students, the school district shall not:

1. Make alterations in the structure of the requested school or to the arrangement or function of rooms within a requested school to accommodate the enrollment request.
2. Establish and offer any particular program in a school if such program is not currently offered in such school.
3. Alter or waive any established eligibility criteria for participation in a particular program, including age requirements, course prerequisites and required levels of performance.
4. Enroll any nonresident student in any program or school after the pupil enrollment count day.

Before considering requests for [open enrollment admission](#) from nonresidents, priority shall be given to resident students who apply under the district's open enrollment/transfer plan.

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

Students granted permission to attend a school pursuant to this policy shall have the same curricular and extracurricular status as all other students attending the school, as determined by applicable law, bylaws of the Colorado High School Activities Association and the district's eligibility requirements.

Transportation

Transportation for nonresident students who enroll in the district shall be furnished by the parents/guardians unless it is determined that transportation is necessary for the district to comply with state and federal law requirements for homeless students, [students in foster care](#) and students with disabilities.

Homeless students, [students in foster care](#) and students with disabilities shall be transported, as necessary, in accordance with state and federal law. Buses from this district may enter the student's district of residence to pick up or deliver the student only with specific permission of the Board of Education of the district of residence.

Nondiscrimination

The Board, the superintendent, other administrators and district employees shall not unlawfully discriminate based on a student's race, color, national origin, ancestry, creed, sex, sexual orientation ([which includes transgender](#)), religion, marital status, disability or need for special education services in the determination or recommendation of action under this policy.

Special education

Requests from the parents/guardians of special education students for [open enrollment admission](#) shall be considered in accordance with applicable state and federal laws. The student's current Individualized Education Program (IEP) shall be used to determine if the requested school or program can meet the student's needs. Once the student is [enrolled-admitted](#), the district shall conduct a staffing to update the IEP.

Adopted: 2006

Revised: 5-10-2017

LEGAL REFS.: C.R.S. 15-14-105 (*delegation of custodial power*)
C.R.S. 19-1-115.5 (*child in foster care placement is considered resident of school district in which foster home is located*)
C.R.S. 22-1-102 (2) (*definition of resident of district*)
C.R.S. 22-20-106 (*designation of general and special education responsibilities for students with disabilities*)
C.R.S. 22-20-107.5 (*defining district of residence for students with disabilities*)
C.R.S. 22-20-109 (*tuition for special education services*)
C.R.S. 22-32-109 (1)(II) (*Board duty to adopt policies requiring enrollment decisions to be made in a nondiscriminatory manner*)
C.R.S. 22-32-113 (1)(c) (*transportation of students residing in another district*)
C.R.S. 22-32-115 (*district may pay tuition for student to attend in another district not to exceed 120% of per pupil general fund cost*)
C.R.S. 22-32-115 (2)(b) (*subject to 22-36-101 district must permit any student whose parents are residents of Colorado to attend w/o payment of tuition*)
C.R.S. 22-32-115 (4)(a) (*district is not liable for tuition except pursuant to written agreement*)
C.R.S. 22-32-116 (*if become non-resident may finish semester, if in 12th grade may finish year, special rules for elementary students*)
C.R.S. 22-33-103 (*any resident may attend district school w/o payment of tuition, tuition can be paid by district of residence pursuant to written agreement, parents may pay tuition if non-Colorado resident*)
C.R.S. 22-33-106 (3) (*grounds to deny admission*)
C.R.S. 22-36-101 *et seq.* (*open enrollment policy must have time line and reasons to deny enrollment*)

C.R.S. 22-54-103 (10.5) (*definition of pupil enrollment count day*)

CROSS REFS.: ~~JF-R, Admission and Denial of Admission (Procedures for Students in Out-of-Home Placements)~~

JFAB, Continuing Enrollment of Students Who Become Nonresidents

JFABA, Nonresident Tuition Charges

JFABD, Homeless Students

JFABE*, Students in Foster Care

JFBA, Intra-District Choice/Open Enrollment

JJJ, Extracurricular Activity Eligibility

NOTE: School districts are encouraged by C.R.S. 22-36-101 (2)(a) to give enrollment priority to a student with a proficiency rating of unsatisfactory in one or more academic areas who attends a public school that is required to implement a turnaround plan or that is subject to restructuring.

[Revised ~~January 2018~~ ~~June 2013~~]

COLORADO SAMPLE POLICY 1994©

Homeless Students

Local Homeless student liaison

The local liaison(s) ~~appointed by the superintendent~~ shall work to identify homeless children and youth and facilitate each homeless child student's access to and success in school. ~~On or before the pupil enrollment count day, the liaison shall report the number of homeless students enrolled in the school district to the Colorado Department of Education.~~

The primary functions of the local liaison shall be to mediate disputes concerning school enrollment, assist in making transportation arrangements, assist in requesting the student's records, provide information and give referrals on services and opportunities, and assist any unaccompanied youth homeless child who is not in the custody of a parent or guardian with enrollment, credit accrual and college readiness decisions.

Enrollment and school stability

~~A homeless student is deemed to reside, and may enroll and attend school in:~~

- ~~• the district where the child is presently located, or~~
- ~~• the district in which the student attended school previous to becoming homeless.~~

Enrollment shall be immediate even if the homeless student lacks records routinely required prior to enrollment or has missed application or enrollment deadlines. The district school shall make arrangements to obtain any necessary records and to have the student receive any necessary immunizations. When feasible the district shall seek immunization through no- or low-cost health care providers. If an expense is incurred, the district shall seek reimbursement through Medicaid if possible.

If a homeless student becomes permanently housed outside the district during the school year, the student shall no longer be considered homeless and may only continue enrollment in the district for the remainder of the school year.

Tuition

A ~~S~~students defined in state and federal law as a homeless child or youth children shall be admitted without payment of tuition.

Enrollment determination

1. Scenario One

- ~~• student enrolled in this district~~
- ~~• becomes homeless~~
- ~~• remains located in this school district~~

~~If a district student becomes homeless, but remains located in this school district, the student shall continue to attend school in his or her school.~~

~~[NOTE: If the district is comprised of school attendance areas or has more than one school building serving a grade level, add the following paragraph.]~~

~~If the student is no longer located in the attendance area of the school he or she previously attended, the liaison shall meet with the student and the student's parent/guardian, if the student is in the custody of the parent/guardian, to determine which district school would best meet the student's educational and other services needs, taking into account the wishes of the student and the parent/guardian, the feasibility of keeping the student in his or her previous school, and the student's transportation needs related to various enrollment options.~~

~~2. Scenario Two~~

- ~~• student enrolled in another school district~~
- ~~• becomes homeless~~
- ~~• is presently located in this school district~~
- ~~• seeks to enroll in the district previously attended~~

~~If a student becomes homeless and is presently located in this school district, but seeks to enroll in the district he or she previously attended, the previous school district shall determine enrollment.~~

~~If this school district has knowledge that a homeless student is presently located in this school district but seeks to enroll in the school district he or she previously attended, this district's homeless student liaison shall assist the student in accessing enrollment in the previous school district, work with the homeless student liaison in the previous school district to mediate disputes concerning enrollment, assist in making transportation arrangements, assist in requesting/sending the student's records, provide information and give referrals on services and opportunities, and assist any homeless student who is not in the custody of a parent or guardian with enrollment decisions.~~

~~3. Scenario Three~~

- ~~• student who previously attended school in this district~~
- ~~• becomes homeless~~
- ~~• is presently located outside of this school district~~
- ~~• seeks to enroll in this school district~~

~~If a student who previously attended school in this district becomes homeless and is presently located outside of this school district, but seeks to enroll in this school district, the superintendent (or designee) shall make a reasonable determination as to whether the student should be enrolled in this district or the district where the student is presently located.~~

~~In making the reasonable determination, the superintendent (or designee) shall consult with:~~

- ~~the homeless student, or the homeless student's parent/guardian if the student is in the custody of a parent/guardian, and~~
- ~~the homeless student liaison for this district and the liaison for the district where the student is presently located~~

~~The superintendent (or designee) shall consider all relevant factors in making the reasonable determination including but not limited to:~~

- ~~the best interests of the homeless student~~
- ~~to the extent feasible, keeping the homeless student in this district~~
- ~~the wishes of the student and the student's parent/guardian if the student is in the custody of a parent/guardian~~
- ~~the student's transportation needs related to various enrollment options (the district where the student is located and the district where the student will attend school must either agree on a method to apportion cost and responsibility for the student's transportation or share the cost and responsibility equally)~~
- ~~which school district can best meet the student's educational and other services needs~~

~~4. Scenario Four~~

- ~~student who has never attended school in this district~~
- ~~becomes homeless~~
- ~~is presently located in this school district~~
- ~~seeks to enroll in this district~~

~~If a student who has never attended school in this district becomes homeless and is presently located in this school district and seeks to enroll in this district, the student shall be enrolled. This district's liaison shall meet with the student and the student's parent/guardian, if the student is in the custody of the parent/guardian, to determine which district school would best meet the student's educational and other services needs, taking into account the wishes of the student and the parent/guardian, and the student's transportation needs related to various enrollment options.~~

Enrollment determinations

In making enrollment determinations, the local liaison shall consider relevant factors, including but not limited to:

- the best interests of the homeless student;
- to the extent feasible, keeping the homeless student in the school of origin;
- the wishes of the student and of the student's parent or guardian;
- which school can best meet the student's educational and other needs; and
- the student's transportation needs related to the school options.

Dispute resolution-Notice of determination and appeal

When a dispute arises over eligibility, school selection or enrollment, the district shall provide a written explanation of the district's decision and of the right to appeal, in a manner and form understandable to the student's parent, guardian or

unaccompanied youth. The homeless student shall be immediately enrolled in the school in which the parent/guardian or unaccompanied youth seeks to enroll, pending resolution of the dispute.

The local liaison shall attempt to resolve the dispute as expeditiously as possible. If the local liaison is unable to resolve it, the district shall follow the Colorado Department of Education's McKinney-Vento homeless education dispute resolution procedure.

~~The superintendent (or designee) shall hand deliver to the student a written notice of the district's determination and of the right to appeal, and provide a copy to the liaison. If the superintendent or designee determines that the homeless student shall attend a school other than the student's previous school or a school other than the one requested by the student's parent or guardian, the superintendent or designee shall also provide written explanation regarding that decision to the parent/guardian and provide a copy to the liaison.~~

Enrollment disputes

~~If an enrollment dispute arises between the student's custodial parent/guardian (or the student not in custody of a parent/guardian) and the district, the student shall be immediately enrolled in the school selected by the parent/guardian or student until the dispute is resolved.~~

~~The parent/guardian (or student, if applicable) may appeal an enrollment determination made by this district to the district's homeless student liaison within _____ days after receiving the written determination and notice of right-to-appeal.~~

~~The liaison shall issue a written decision on the dispute within _____ days of the receipt of the appeal and hand deliver a written decision and notice of right-to-appeal to the Board of Education to the parent/guardian (or student, if applicable).~~

~~Within _____ days of delivery of the liaison's decision and right-to-appeal notice, the parent/guardian (or student, if applicable) may appeal the decision to the Board of Education.~~

~~The Board shall issue a written decision on the dispute within _____ days of the receipt of the appeal and hand deliver the written decision and notice of right-to-appeal to the State Coordinator for the Education of Homeless Children and Youths to the parents/guardian (or student, if applicable). The decision of the State Coordinator shall be final.~~

NOTE: The law does not specify a local appeals process beyond an appeal to the liaison. However, we feel it is appropriate that the matter go before the Board of Education prior to an appeal to the State Coordinator. The Board may wish to hear such appeals directly or assign a hearing officer or appeals panel for this purpose. The Board has discretion as to what timeline is appropriate for the local appeals process.

Transportation

Subsequent to a determination that the student shall attend a school in ~~the~~ this district, a request for transportation may be made by the unaccompanied youth student, or by the student's ~~custodial~~ parent/guardian.

If the student is located in the district and attending the attendance area school, the district shall provide or arrange for the student's transportation to and from school in accordance with district transportation policies. ~~All transportation services shall be comparable to those provided for other students in the district.~~

If the student is located outside of ~~the~~ district boundaries but a determination has been made that the student shall remain in the attend school of origin with in the district, ~~the both this~~ district and the district where the student is located shall must ~~either~~ agree on a method to apportion cost and responsibility for the student's transportation or share the cost and responsibility equally.

Adopted: 2006

[Revised January 2018-March 2013]
COLORADO SAMPLE REGULATION 2002©

Homeless Students

It is the Board's intent to remove barriers to the identification, enrollment and retention of homeless children and youth students in school in accordance with state and federal law. The district shall take reasonable steps to ensure that homeless students are not segregated or stigmatized and that decisions are made in the best interests of the student.

Terms used in this policy and its accompanying regulation, such as "homeless children and youth," "unaccompanied youth," "school of origin," "enrollment," and "attendance area school" shall be as defined by the McKinney-Vento Homeless Assistance Act and its implementing regulations. For purposes of this policy and its accompanying regulation, "homeless students" shall refer to "homeless children and youth."

Each homeless student shall have access to and shall be provided education services for which the student is eligible, comparable to services provided to other students in the school, including transportation services, education services, summer school, career and technical education programs, gifted education programs, and school nutrition programs. Transportation services for homeless students shall be provided in accordance with applicable law.

Homeless students shall be provided access to education and other services that they need to ensure that they have an opportunity to meet the same student performance standards to which all students are held. All educational decisions shall be made in the best interests of the student.

The district shall coordinate with other districts and with local social services agencies and other agencies or programs providing services to homeless students as needed.

~~The superintendent shall designate a~~ At least one staff member shall be designated in the district to serve as the local homeless student liaison and shall fulfill the duties required of the position as set forth in state and federal law. The district shall provide training and other technical assistance to the local liaison(s) and other appropriate district staff regarding the district's obligations to homeless students.

Duties of the local liaison and procedures for ~~Decisions on identification,~~ enrollment, and transportation and dispute resolution for homeless students shall be made in accordance with the this policy's accompanying regulation and applicable law.

Adopted: 2006
Revised: 5-10-2017

LEGAL REFS.: 20 U.S.C. 1232g (Family Educational Rights and Privacy Act)
20 U.S.C. 6313 (c)(3) (reservation of Title I funding for homeless children and youths)
42 U.S.C. §11431 et seq. (McKinney-Vento Homeless Assistance Act –

Education for Homeless Children and Youth)

C.R.S. 22-1-102.5 (definition of homeless child)

C.R.S. 22-32-109 (1)(dd) (duty to adopt/revise policies to remove barriers to access and success in schools for homeless children)

C.R.S. 22-33-103.5 (attendance of homeless children)

C.R.S. 26-5.7-101 et seq. (Homeless Youth Act)

NOTE 1: The term “homeless children” is defined in federal law to include the following:

Individuals who lack a fixed, regular and adequate nighttime residence, including:

- *children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals; or are awaiting foster care placement;*
- *children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;*
- *children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and*
- *migratory children and unaccompanied youths (i.e., those not in the physical custody of a parent or guardian) who are living in circumstances described above.*

NOTE 2: While the definition of homeless children in Colorado law closely tracks the definition in federal law, the federal law contains the following language which is NOT found in the Colorado law:

- *“sharing the housing of other persons due to lack of housing, economic hardship or a similar reason”*
- *“trailer parks”*
- *“substandard housing”*

Colorado school districts that receive federal funds are required to follow the more inclusive federal definition.

NOTE: This exhibit does not need to be filed in the Board's policy manual. It is provided as informational only and if applicable, may be kept by the district in another location.

Admission and Denial of Admission

According to the Colorado Revised Statutes 22-33-106 (2), subject to the district's responsibilities under the Exceptional Children's Educational Act (see policy JK*-2, Discipline of Students with Disabilities) and other laws pertaining to the education of students with disabilities, the following may be grounds for denial of admission to a public school or diversion to an appropriate alternate program:

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

According to C.R.S. 22-33-106 (3)(a-f), the following may constitute additional grounds for denial of admission to a public school:

1. Graduating from the 12th grade of any school or receipt of any document evidencing completion of the equivalent of a secondary education.
2. Failure to meet age requirements.
3. Having been expelled from any school district during the preceding 12 months.
4. Not being a resident of the district unless otherwise entitled to attend under C.R.S. 22, Articles 23 (migrant children), 32 (exclusion of non-residents) or 36 (schools of choice).
5. Failure to comply with the provisions of Part 9, Article 4, Title 25, C.R.S. (immunization requirements). Any denial of admission for such failure to comply shall not be recorded as a disciplinary action but may be recorded with the student's immunization record with an appropriate explanation.
6. Behavior in another school district during the preceding 12 months that is detrimental to the welfare or safety of other pupils or of school personnel.

According to C.R.S. 22-33-106 (4)(a), a student who has been expelled shall be prohibited from enrolling or re-enrolling in the same school in which the victim of the offense or member of the victim's immediate family is enrolled or employed when:

1. the expelled student was convicted of a crime, adjudicated a juvenile delinquent, received a deferred judgment or was placed in a diversion program as a result of committing the offense for which the student was expelled;
2. there is an identifiable victim of the expelled student's offense; and

3. the offense for which the student was expelled does not constitute a crime against property.

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

Students in out-of-home placements

State law limits the grounds for denial of enrollment regarding students in out-of-home placements, as defined by C.R.S. 22-32-138 (1)(e) ~~and provided in regulation JF-R, Admission and Denial of Admission (Procedures for Students in Out-of-Home Placements).~~

Adopted: 2006

Admission and Denial of Admission

Admission

All persons age six and under 21 who have not graduated from high school or received any document evidencing completion of the equivalent of a secondary curriculum, and reside within the boundaries of this school district may be permitted to attend public schools without payment of tuition. ~~In addition, persons who do not reside in the district may be admitted under Board policies relating to nonresident students or by specific action of the Board.~~

A birth certificate or other proof of legal age, as well as proof of residence, shall be required by the school administration.

~~Except as otherwise provided by state law concerning enrollment of students in out-of-home placements, s~~Students new to the district shall be enrolled conditionally until records, including discipline records, from the schools previously attended by the student are received by the district. Notice of the conditional enrollment status of new students shall be clearly indicated on all new student enrollment forms. In the event the student's records indicate a reason to deny admission, the student's conditional enrollment status shall be revoked. The student's parent/guardian shall be provided with written notice of the denial of admission-enrollment. The notice shall inform the parent/guardian of the right to request a hearing.

Denial of admission

The Board of Education or the superintendent may deny admission to the schools of the district in accordance with applicable law.

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

The policy and procedures for denial of admission shall be the same as those for student suspension and expulsion inasmuch as the same section of the law governs these areas.

Nondiscrimination

The Board, the superintendent, other administrators and district employees shall not unlawfully discriminate based on a student's race, color, national origin, ancestry, creed, religion, sex, sexual orientation (which includes transgender), marital status, disability or need for special education services in the determination or recommendation of action under this policy.

Adopted: 2006

Revised: 10-12-2016

LEGAL REFS.: C.R.S. 22-1-102 (*defines "resident"*)

C.R.S. 22-1-102.5 (*defines “homeless child”*)
C.R.S. 22-1-115 (*school age is any age over five and under twenty-one years*)
C.R.S. 22-2-409 (*notification of risk*)
C.R.S. 22-32-109 (1)(II) (*Board duty to adopt policies requiring enrollment decisions to be made in a nondiscriminatory manner*)
C.R.S. 22-32-115 (*tuition to another school district*)
C.R.S. 22-32-116 (*non-resident students*)
C.R.S. 22-32-138 (*enrollment of students in out-of-home placements*)
C.R.S. 22-33-103 through 22-33-110 (*school attendance law*)
C.R.S. 22-33-105 (2)(c) (*requiring hearing to be convened if requested within 10 days after denial of admission or expulsion*)

CROSS REFS.: JEB, Entrance Age Requirements
JKD/JKE, Suspension/Expulsion of Students (and Other Disciplinary Interventions)
JLCB, Immunization of Students

| **[Revised [January 2018-August 2016](#)]**
COLORADO SAMPLE POLICY 1991©

Support Staff Recruiting/Hiring

Background checks

Prior to hiring and in accordance with state law, the personnel office shall:

1. Conduct a background check through the Colorado Department of Education (the department) to determine the applicant's fitness for employment.

The department's records shall indicate if the applicant has been convicted of, pled *nolo contendere* to or received a deferred sentence for a felony or misdemeanor crimes involving unlawful sexual behavior, unlawful behavior involving children or domestic violence. The department shall provide any available information to indicate whether the applicant has been dismissed by or resigned from a school district as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior which was supported by a preponderance of evidence according to information provided to the department by a school district and confirmed by the department in accordance with state law. The department shall also provide information regarding whether the applicant's license or certification has ever been denied, suspended, revoked or annulled in any state, including but not limited to any information gained as a result of an inquiry to a national teacher information clearinghouse.

Information of this type that is learned from a different source shall be reported by the district to the department.

The department will not disclose any information reported by a school district unless and until the department confirms that the allegation resulted in the person's name being placed on the state central registry of child protection.

2. Contact previous employers of the applicant to obtain information or recommendations relevant to the applicant's fitness for employment.

Credit reports

The personnel office will not obtain a credit report on an applicant unless the office has first notified the individual in writing, in a document consisting solely of the notice, that the district would like to obtain a credit report and requesting the individual's written authorization to obtain the report. A credit report will only be requested when the applicant submits a written authorization.

The personnel office will not rely on a credit report in denying an application unless the office has first supplied the applicant with a disclosure that includes a copy of the credit report and a summary of the applicant's rights. If an application for employment is denied because of the credit report, the personnel office will give the applicant notice that the action has been taken, as well as:

1. the name, address and phone number of the credit bureau supplying the report;
2. a statement that the credit bureau was not involved in the decision to deny the application; and
3. a notice of the applicant's right to dispute the information in the report.

Fingerprinting

1. All applicants selected for employment in a support staff position must submit a complete set of fingerprints taken by a qualified law enforcement agency, ~~or an authorized district employee~~ or any third party approved by the Colorado Bureau of Investigation, and a notarized, completed form (described in 2 below) as required by state law.
2. Applicants selected for employment must also submit a notarized, completed form as required by state law. On the form the applicant must certify either that he or she has never been convicted of a felony or misdemeanor charge, not including any misdemeanor traffic offense, or that he or she has been convicted of a felony or misdemeanor charge (not including any misdemeanor traffic offense). The form must specify the felony or misdemeanor, the date of conviction and the court entering judgment.
3. The school district will release the fingerprints to the Colorado Bureau of Investigation for the purpose of conducting a state and national fingerprint-based criminal history record check utilizing the records of the Colorado Bureau of Investigation and the Federal Bureau of Investigation.
4. Although an applicant may be conditionally employed prior to receiving the results, he or she may be terminated if the results are inconsistent with the information provided on the form. In accordance with state law, the employee or applicant shall be terminated or disqualified from district employment if the results disclose a conviction for any of the following offenses:
 - a. felony child abuse, as described in C.R.S. 18-6-401;
 - b. a crime of violence, as defined in C.R.S. 18-1.3-406 (2);
 - c. a felony involving unlawful sexual behavior, as defined in C.R.S. 16-22-102 (9);
 - d. felony domestic violence, as defined in C.R.S. 18-6-800.3;
 - e. a felony drug offense, as described in C.R.S. 18-18-401 *et seq.*, committed on or after August 25, 2012;
 - f. felony indecent exposure, as described in C.R.S. 18-7-302;
 - g. attempt, solicitation or conspiracy to commit any of the offenses described in items a-f; or
 - h. an offense committed outside of this state, which if committed in this state would constitute an offense described in items a-g.

The district shall notify the district attorney of inconsistent results for action or possible prosecution.

5. The school district will charge the applicant a nonrefundable fee to be determined by the Board to cover the direct and indirect costs of fingerprint processing. *[NOTE: This fee shall be an amount equal to the direct and indirect costs to the district of fingerprint processing.]*

The applicant may pay the fee over a period of 60 days after employment. The fee will be credited to the fingerprint processing account.

Information report to state

1. In accordance with federal and state law, the personnel office will report the name, address and social security number of every new employee to Colorado State Directory of New Hires, P.O. Box 2920, Denver, Colorado 80201-2920.
2. This report, due within 20 days of the date of the hire or on the first payroll after the 20 days have expired, shall be submitted even if the employee quits or is terminated before the report is due. Upon termination, the employee's last known address, the fact of the termination, and the name and address of the employee's new employer, if known, shall be reported to the applicable court or agency.
3. Upon receiving a Notice of Wage assignment, the district shall remit the designated payment within seven days of withholding the income according to instructions contained in the Notice. Child support withholding takes priority over other legal actions against the same wages.

~~*[NOTE: The following section should be included if the district receives Title I funds.]*~~

~~Title I paraprofessionals~~

~~Prior to hiring paraprofessionals to work in Title I Schoolwide or Targeted Assistance Programs, the personnel office shall determine whether the applicant meets the qualifications required under federal law and regulations.~~

Approved: 2006

NOTE 1: District personnel shall submit the name, date of birth and social security number for each nonlicensed employee to the Colorado Department of Education (CDE) as required by state law. C.R.S. 22-32-109.8 (11). The district shall notify CDE at the beginning of each semester about nonlicensed persons who are no longer employed by the district. The purpose of this reporting requirement is to keep a central database at CDE so the Colorado Bureau of Investigation (CBI) can communicate with the district about any criminal activity involving school district employees whose fingerprints are on file with the CBI.

NOTE 2: Regarding the requirement that an applicant submit a notarized, completed form about his or her criminal history, state law defines "convicted" as: "[A] conviction by a jury or by a court and shall also include the forfeiture of any bail, bond, or other security deposited to secure appearance by a person charged with a felony or misdemeanor, the payment of a fine, a guilty plea accepted by a court, a plea of nolo contendere, and the imposition of a deferred sentence or suspended sentence by the court." C.R.S. 22-32-109.8 (8)(a). Any district form used to certify an applicant's criminal history should reflect this broad definition of "convicted" to ensure that applicants disclose the legally required information.

NOTE 3: When CBI provides an update to CDE regarding those school employees previously subject to a fingerprint-based background check, CDE must provide that update to school districts. Each school district must then cross-check its employee list with the update and take appropriate action if necessary. C.R.S. 22-2-119 (4)(b).

NOTE 4: An employee who is terminated or an applicant who is disqualified from district employment for a felony domestic violence and/or a felony drug offense may reapply for district employment after five years have passed since the date the offense was committed. C.R.S. 22-32-109.8 (6.5)(b). For a felony domestic violence offense, the applicant must also show successful completion of any court-ordered treatment. Other exceptions to this provision allow the district to conduct an assessment to determine if the applicant poses a risk to district students or staff, and also allow the applicant to submit a written request for reconsideration by the district. C.R.S. 22-32-109.8 (6.5)(d). The law includes the specific factors the district must consider. Id.

Revised Sample Policy

File: GDE/GDF

NOTE: Colorado school boards are required by law to adopt a policy that requires screening of new and current employees for criminal activities. The screening provisions have been included in this sample policy. However, the board should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Support Staff Recruiting/Hiring

The Board shall establish and budget for classified positions in the school district on the basis of need and the financial resources of the district.

Recruiting

The recruitment and selection of candidates for these positions shall be the responsibility of the superintendent or designee who shall confer with principals and other supervisory personnel in making a selection. ~~Only qualified paraprofessionals, as defined by the No Child Left Behind Act of 2001, shall be hired to provide instructional support for students in Title I Schoolwide and Targeted Assistance Programs.~~

All vacancies shall be made known to the present staff. Anyone qualified for a position may submit an application.

Background checks

Prior to hiring any person, in accordance with state law the district shall conduct background checks with the Colorado Department of Education and previous employers regarding the applicant's fitness for employment. In all cases where credit information or reports are used in the hiring process the district shall comply with the Fair Credit Reporting Act and applicable state law.

All applicants recommended for a position in the district shall submit a set of fingerprints and a notarized form with information about felony or misdemeanor convictions as required by law. (This requirement shall not apply to any student currently enrolled in the district applying for a job.) Applicants may be conditionally employed prior to receiving the fingerprint results.

Hiring

There shall be no discrimination in the hiring process on the basis of race, color, creed, sex, sexual orientation (which includes transgender), religion, national origin, ancestry, age, genetic information, marital status, ~~or~~ disability or conditions related to pregnancy or childbirth.

The Board shall officially appoint all employees upon the superintendent's recommendation; however, temporary appointments may be made pending Board action.

Upon the hiring of any employee, information required by federal and state child support laws will be timely forwarded by the district to the appropriate state agency.

Adopted: 2006

Revised: 1-13-2016

LEGAL REFS.: 15 U.S.C. §1681 *et seq.* (Fair Credit Reporting Act)
[20 U.S.C. §6319](#) (~~paraprofessional requirements under No Child Left Behind Act of 2001~~)
42 U.S.C. §653 (a) (Personal Responsibility and Work Opportunity Reconciliation Act)
42 U.S.C. §2000ff *et seq.* (Genetic Information Nondiscrimination Act of 2008)
[28 C.F.R. 50.12 \(b\)](#) (*notification requirements regarding fingerprints*)
[34 C.F.R. 200.58, 200.59](#) (*federal regulations regarding paraprofessional qualifications*)
[C.R.S. 2-4-401 \(13.5\)](#) (*definition of sexual orientation, which includes transgender*)
C.R.S. 8-2-126 (*limits employers' use of consumer credit information*)
C.R.S. 13-80-103.9 (*liability for failure to perform an education employment required background check*)
C.R.S. 14-14-111.5 (*Child Support Enforcement procedures*)
C.R.S. 22-2-119 (*duty to make inquiries prior to hiring*)
C.R.S. 22-32-109 (1)(f) (*Board duty to employ personnel*)
C.R.S. 22-32-109.7 (*duty to make inquiries prior to hiring*)
C.R.S. 22-32-109.8 (*fingerprinting requirements for non-licensed positions*)
C.R.S. 24-5-101 (*effect of criminal conviction on employment*)
[C.R.S. 24-34-301 \(7\)](#) (*definition of sexual orientation, which includes transgender*)
C.R.S. 24-34-402 (1) (*discriminatory and unfair employment practices*)
[C.R.S. 24-34-402.3](#) (*discrimination based on pregnancy, childbirth or related conditions; notice of right to be free from such discrimination must be posted "in a conspicuous place" accessible to employees*)

CROSS REFS.: GBA, Open Hiring/Equal Employment Opportunity
GDA, Support Staff Positions
[GDAA*](#), Title I Paraprofessionals

NOTE 1: Specific procedures for background checks, fingerprinting and submission of child support information need to follow as a regulation. The regulation might also include specific procedures for making applications, for screening and for selection of candidates to be recommended to the Board.

NOTE 2: Federal law requires school districts to notify individuals fingerprinted that the fingerprints will be used to check the criminal history records of the Federal Bureau of Investigation (FBI). Districts must also notify fingerprinted applicants about the opportunity to challenge the accuracy of the information contained in the FBI identification record and the procedure to obtain a change, correction or update of an FBI identification record. 28 C.F.R. 50.12 (b). Districts must retain documentation that this notification was provided. For sample notification and acknowledgement forms that meet these federal requirements, visit the Colorado Bureau of Investigation's website: <https://www.colorado.gov/pacific/cbi/identification-unit>.

NOTE: The Board should be careful when adopting policies related to classified staff in order to preserve the "at will" status of these employees. The following policy (not required by law, but highly recommended) is written with "at will" status in mind. Please consult with your attorney before adopting or making any revisions to this policy. You should also review all policies in the GD section, as well as employee handbooks and other statements and documents, to ensure a consistent approach in this area. Contrary assertions in handbooks, contracts, and other writings or made verbally can create serious problems for a school district defending itself against a due process claim.

Support Staff Positions

All support staff positions in the school system shall be established initially by the Board.

~~All paraprofessionals who provide instructional support for students in Title I Schoolwide Programs and Targeted Assistance Programs shall meet the qualifications set forth in federal law and regulations.~~

Support staff employees, unless otherwise designated by contract, shall be considered "at will" employees who serve at the pleasure of the Board and shall have only those employment rights expressly established by Board policy. Support staff members shall be employed for such time as the district is in need of or desirous of the services of such employees.

In each case, the Board shall approve a statement of job requirements as presented by the superintendent. This shall be in the form of a job description setting forth the qualifications for the job, a detailed list of performance responsibilities and any required physical capabilities.

~~Only the Board may abolish a position that it has created.~~

Adopted: 2006

LEGAL REFS.: ~~20 U.S.C. 6319 (paraprofessional requirements under No Child Left Behind Act of 2001)~~
~~34 C.F.R. 200.58, 200.59 (federal regulations regarding paraprofessional qualifications)~~
C.R.S. 22-32-109 (1)(f) (Board duty to employ personnel)
C.R.S. 22-32-110 (1)(ee) (power to employ teachers' aides and other nonlicensed personnel to assist licensed personnel)
C.R.S. 22-32-110 (1)(h), (ee) (power to terminate employment)

CROSS REFS.: GDE/GDF, Support Staff Recruiting/Hiring
GDQD, Discipline, Suspension and Dismissal of Support Staff

Professional Staff Recruiting/Hiring

Applications of all regular professional personnel to be employed by the district will be processed according to this procedure. Short-term, temporary or interim appointments may be made directly by the superintendent, subject to the approval of the Board of Education, without following the advertising procedure.

1. Vacancies

All regular vacancies will be advertised by the department of personnel.

2. Applications

All applications will be submitted to the personnel office.

Current employees may apply for supplemental pay positions by submitting a letter outlining their qualifications for the position they are seeking.

All applicants will report to the personnel office and complete an application form.

3. Initial screening and interview

The personnel office will screen applications and conduct the initial interview with all applicants. The objectives of the screening and initial interview process are to:

- a. Determine if a teacher applicant meets ~~applicable licensure the requirements under state and federal law, of the No Child Left Behind Act of 2001 (NCLB) for designation as a highly qualified teacher.~~
- b. Determine the suitability of an applicant for a specific position.
- c. Determine those applicants who are most qualified for the position.
- d. Ensure eligible applicants from the district's priority hiring pool, if applicable, receive first opportunity to interview, as required by law.
- e. Discuss with an applicant any district policies and procedures pertinent to the job and to the employment process.

4. Background checks

Prior to hiring and in accordance with state law, the personnel office shall:

- a. Conduct a background check through the Colorado Department of Education (the department) to determine the applicant's fitness for employment.

The department's records shall indicate if the applicant has been convicted of, pled *nolo contendere* to, received a deferred sentence, or had his or her license or authorization denied, annulled, suspended or revoked for a felony or misdemeanor crimes involving unlawful sexual behavior, unlawful behavior involving children or domestic violence. The department shall provide any available information to indicate whether the applicant has been dismissed by or resigned from a school district as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior, which was supported by a preponderance of evidence according to information provided to the department by a school district and confirmed by the department in accordance with state law. The department shall also provide information regarding whether the applicant's license or certification has ever been denied, suspended, revoked or annulled in any state, including but not limited to any information gained as a result of an inquiry to a national teacher information clearinghouse.

Information of this type that is learned from a different source shall be reported by the district to the department.

The department will not disclose any information reported by a school district unless and until the department confirms that the allegation resulted in the person's name being placed on the state central registry of child protection.

- b. Contact previous employers of the applicant to obtain information or recommendations relevant to the applicant's fitness for employment.

5. **Fingerprinting non-licensed administrators**

[Optional section: If the district employs any non-licensed administrators, the following language should be added to this regulation.]

- a. All non-licensed applicants selected for employment in an administrative position must submit a complete set of fingerprints taken by a qualified law enforcement agency, ~~or an authorized district employee~~ or any third party approved by the Colorado Bureau of Investigation, and a notarized, completed form (described in b below) as required by state law.
- b. Non-licensed applicants selected for employment must also submit a notarized, completed form as required by state law. On the form the applicant must certify either that he or she has never been convicted of a felony or misdemeanor charge, not including any misdemeanor traffic offense, or that he or she has been convicted of a felony or misdemeanor charge (not including any misdemeanor traffic offense). The form must specify the felony or misdemeanor, the date of conviction and the court entering judgment.
- c. The school district will release the fingerprints to the Colorado Bureau of Investigation for the purpose of conducting a state and national fingerprint-based criminal history record check utilizing the records of the Colorado Bureau of Investigation and the Federal Bureau of Investigation.

d. Although an applicant may be conditionally employed prior to receiving the results, he or she may be terminated if the results are inconsistent with the information provided on the form. In accordance with state law, the employee or applicant shall be terminated or disqualified from district employment if the results disclose a conviction for any of the following offenses:

- (1) felony child abuse, as described in C.R.S. 18-6-401;
- (2) a crime of violence, as defined in C.R.S. 18-1.3-406 (2);
- (3) a felony involving unlawful sexual behavior, as defined in C.R.S. 16-22-102 (9);
- (4) felony domestic violence, as defined in C.R.S. 18-6-800.3;
- (5) a felony drug offense, as described in C.R.S. 18-18-401 *et seq.*, committed on or after August 25, 2012;
- (6) felony indecent exposure, as described in C.R.S. 18-7-302;
- (7) attempt, solicitation or conspiracy to commit any of the offenses described in items 1-6; or
- (8) an offense committed outside of this state, which if committed in this state would constitute an offense described in items 1-7.

The district will notify the district attorney of inconsistent results for action or possible prosecution.

6. Credit reports

The personnel office will not obtain a credit report on an applicant unless the office has first notified the individual in writing, in a document consisting solely of the notice, that the district would like to obtain a credit report and requesting the individual's written authorization to obtain the report. A credit report will only be requested when the applicant submits a written authorization.

The personnel office will not rely on a credit report in denying an application unless the office has first supplied the applicant with a disclosure that includes a copy of the credit report and a summary of the applicant's rights. If an application for employment is denied because of the credit report, the personnel office will give the applicant notice that the action has been taken, as well as:

- a. the name, address and phone number of the credit bureau supplying the report;
- b. a statement that the credit bureau was not involved in the decision to deny the application; and
- c. a notice of the individual's right to dispute the information in the report.

7. Placement interview

- a. Determine whether the applicant can handle the specific assignment.
- b. Determine the best applicant for the position.

- c. Discuss with the candidate any building or departmental regulations pertinent to the job.

8. Selection

In the selection of *secondary teachers*, the principal and department chairman will interview the qualified applicants. The decision regarding selection will be made by the principal, considering mutual consent placement provisions in law where applicable.

In the selection of *elementary teachers*, the principal will interview the qualified applicants. The decision regarding selection will be made by the principal and superintendent, considering mutual consent placement provisions in law where applicable.

In the selection of *athletic coaches*, the principal and director of athletics will interview the qualified applicants, and the decision regarding selection will be made by the principal, the director of athletics. In the selection of assistant athletic coaches, the head coach of that sport will be involved in the interview process.

In the selection of *department chairpersons*, the principal will interview the qualified applicants, and the decision regarding selection will be made by the principal.

If the department chairman, director of athletics, head coach, or principal are not available at a time when a selection must be made, the selection will be made by those applicable persons present under the specific direction of the superintendent.

9. Contract or job offer

Only the personnel office is authorized to offer new or supplemental pay contracts and/or jobs to current employees or applicants.

10. Information report to state

In accordance with federal and state law, the personnel office will report the name, address and social security number of every new employee to Colorado State Directory of New Hires, P.O. Box 2920, Denver, Colorado 80201-2920.

This report, due within 20 days of the date of the hire or on the first payroll after the 20 days have expired, shall be submitted even if the employee quits or is terminated before the report is due. Upon termination, the employee's last known address, the fact of the termination, and the name and address of the employee's new employer, if known, shall be reported to the applicable court or agency.

Upon receiving a Notice of Wage assignment, the district shall remit the designated payment within seven days of withholding the income according to instructions contained in the Notice. Child support withholding takes priority over other legal actions against the same wages.

Approved: 2006

NOTE 1: Regarding the requirement that an applicant submit a notarized, completed form about his or her criminal history, state law defines "convicted" as: "[A] conviction by a jury or by a court and shall also include the forfeiture of any bail, bond, or other security deposited to secure appearance by a person charged with a felony or misdemeanor, the payment of a fine, a guilty plea accepted by a court, a plea of nolo contendere, and the imposition of a deferred sentence or suspended sentence by the court." C.R.S. 22-32-109.8 (8)(a). Any district form used to certify a nonlicensed applicant's criminal history should reflect this broad definition of "convicted" to ensure that a nonlicensed applicant discloses the legally required information.

NOTE 2: When the Colorado Bureau of Investigation (CBI) provides an update to the Colorado Department of Education (CDE) regarding those school employees previously subject to a fingerprint-based background check, CDE must provide that update to school districts. Each school district must then cross-check its employee list with the update and take appropriate action if necessary. C.R.S. 22-2-119 (4)(b).

NOTE 3: An employee who is terminated or an applicant who is disqualified from district employment for a felony domestic violence and/or a felony drug offense may reapply for district employment after five years have passed since the date the offense was committed. C.R.S. 22-32-109.8 (6.5)(b). For a felony domestic violence offense, the applicant must also show successful completion of any court-ordered treatment. Other exceptions to this provision allow the district to conduct an assessment to determine if the applicant poses a risk to district students or staff, and also allow the applicant to submit a written request for reconsideration by the district. C.R.S. 22-32-109.8 (6.5)(d). The law includes the specific factors the district must consider. Id.

NOTE 5: [Federal law requires school districts to notify individuals fingerprinted that the fingerprints will be used to check the criminal history records of the Federal Bureau of Investigation \(FBI\). Districts must also notify fingerprinted applicants about the opportunity to challenge the accuracy of the information contained in the FBI identification record and the procedure to obtain a change, correction or update of an FBI identification record. 28 C.F.R. 50.12 \(b\). Districts must retain documentation that this notification was provided. For sample notification and acknowledgement forms that meet these federal requirements, visit the Colorado Bureau of Investigation's website: <https://www.colorado.gov/pacific/cbi/identification-unit>.](#)

Professional Staff Recruiting/Hiring

Recruiting

The Board desires the superintendent to develop and maintain a recruitment program designed to attract and hold the best possible professional personnel, ~~including instructional staff who are highly qualified as defined by the federal No Child Left Behind Act of 2001 (NCLB),~~ in the district's schools.

It is the responsibility of the superintendent, with the assistance of other administrators, to determine the personnel needs of the district in general and of each individual school and to locate suitable candidates to recommend to the Board for employment. The search for good teachers and other professional personnel shall extend to a wide variety of educational institutions and geographical areas. It shall take into consideration the diverse characteristics of the school system and the need for staff members of various backgrounds.

Recruitment procedures shall not overlook the talents and potential of individuals already employed in the district's schools. Any present employee of the district may apply for a position for which he or she is licensed, ~~highly qualified,~~ and/or meets other stated requirements.

Background checks

Prior to hiring any person, in accordance with state law the district shall conduct background checks with the Colorado Department of Education and previous employers regarding the applicant's fitness for employment. In all cases where credit information or reports are used in the hiring process, the district shall comply with the Fair Credit Reporting Act and applicable state law.

Hiring

There shall be no discrimination in the hiring process on the basis of race, color, creed, sex, sexual orientation (which includes transgender), genetic information, religion, national origin, ancestry, age, marital status, ~~or disability~~ or conditions related to pregnancy or childbirth.

All candidates shall be considered on the basis of their merits, qualifications and the needs of the school district. ~~The Board directs that recruitment procedures will give preference to teacher candidates who meet the NCLB definition of highly qualified.~~

All interviewing and selection procedures shall ensure that the administrator directly responsible for the work of a staff member has an opportunity to aid in the selection and that, where applicable, the school principal has an opportunity to consent.

Unless otherwise required by law, the final selection for nomination shall be made only by the superintendent.

Appointment of candidates

Nominations shall be made at meetings of the Board of Education. ~~Nominations of teacher candidates who are not highly qualified, as defined by the NCLB, will be accompanied with an explanation as to why a highly qualified teacher candidate was not hired for the position.~~ The vote of a majority of the Board shall be necessary to approve the appointment of teachers, administrators or any other employee of the school district. If there is a negative vote by the Board, the superintendent shall submit a new recommendation to the Board for approval.

Upon the hiring of any employee, information required by federal and state child support laws will be timely forwarded by the district to the appropriate state agency.

Adopted: 2006

Revised: 1-13-2016

LEGAL REFS.: 15 U.S.C. 1681 *et seq.* (Fair Credit Reporting Act)
20 U.S.C. [6312 \(c\)\(6\)](#) ~~6319~~ (teacher [licensure](#) requirements under [Every Student Succeeds No Child Left Behind Act of 2001](#))
42 U.S.C. 653 (a) (Personal Responsibility and Work Opportunity Reconciliation Act)
[28 C.F.R. 50.12 \(b\)](#) (notification requirements regarding fingerprints)
~~[34 C.F.R. 200.55](#) (federal regulations regarding highly qualified teachers)~~
[C.R.S. 2-4-401 \(13.5\)](#) (definition of sexual orientation, which includes [transgender](#))
[C.R.S. 8-2-126](#) (limits employers' use of consumer credit information)
[C.R.S. 13-80-103.9](#) (liability for failure to perform an education employment required background check)
[C.R.S. 14-14-111.5](#) (Child Support Enforcement procedures)
[C.R.S. 22-2-119](#) (inquiries prior to hiring)
[C.R.S. 22-32-109 \(1\)\(f\)](#) (Board duty to employ personnel)
[C.R.S. 22-32-109.7](#) (duty to make inquiries prior to hiring)
[C.R.S. 22-32-126](#) (principal's role in hiring and assignment)
[C.R.S. 22-60.5-114 \(3\)](#) (State Board can waive some requirements for initial license applicants upon request of school district)
[C.R.S. 22-60.5-201](#) (types of teacher licenses issued)
[C.R.S. 22-61-101](#) (prohibiting discrimination)
[C.R.S. 22-61-103](#) (requirement for teacher's oath [or written pledge](#))
[C.R.S. 22-63-201](#) (licensure required)
[C.R.S. 22-63-202](#) (employment contracts and mutual consent placement)
[C.R.S. 22-63-206](#) (transfers)
[C.R.S. 24-5-101](#) (effect of criminal conviction on employment)
[C.R.S. 24-34-301 \(7\)](#) (definition of sexual orientation, which includes [transgender](#))
[C.R.S. 24-34-402 \(1\)](#) (discriminatory and unfair employment practices)
[C.R.S. 24-34-402.3](#) (discrimination based on pregnancy, childbirth or related conditions; notice of right to be free from such discrimination must be posted "in a conspicuous place" accessible to employees)
[C.R.S. 24-72-202 \(4.5\)](#) (definition of personnel file in open records law)

CROSS REFS.: GBA, Open Hiring/Equal Employment Opportunity
GCKAA*, Teacher Displacement

NOTE 1: Specific procedures for background checks need to follow as a regulation. The regulations might also include specific procedures for making applications, for screening and for selection of candidates to be recommended to the Board.

NOTE 2: State law requires public school teachers to take an oath/affirmation or sign a written pledge that states the following: "I solemnly (swear) (affirm) (pledge) that I will uphold the constitution of the United States and the constitution of the state of Colorado, and I will faithfully perform the duties of the position I am about to enter." C.R.S. 22-61-103 (1). A person authorized to administer oaths in Colorado shall administer the oath or affirmation, or the teacher must sign the pledge. C.R.S. 22-61-103 (2). The Colorado Department of Education has stated that a school district's hiring officials must ensure that teachers take the oath orally or in writing at the time of hiring or during the signing of the teacher's contract.

NOTE: While Colorado school districts are not required by law to adopt a policy on this subject, some content in this sample reflects legal requirements school districts must follow. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Student Transportation

The school district's transportation program shall be designed to get students who live an unreasonable walking distance from school ~~or are attending a school other than their assigned school pursuant to the No Child Left Behind Act (NCLB) choice option~~ to school and back in an efficient, safe and economical manner.

General responsibility for the transportation system is vested in the Transportation Director. All other people engaged in the transportation program are responsible to that administrator.

It shall be the duty of the Transportation Director to provide the Board with regular reports and information regarding the efficiency and conduct of the transportation program.

The district shall operate its own fleet of buses and other types of vehicles as needed.

In the event the Board determines that the unreimbursed expenses associated with providing student transportation are impacting the budget for instructional programs, the Board may explore opportunities to offset those costs through imposition of a transportation fee in accordance with state law.

Alternatively, the district may submit to the voters the question of whether to impose a mill levy increase for the payment of excess transportation costs in accordance with state law. If the mill levy increase is approved, the revenues shall be deposited in the transportation fund.

The district shall waive any transportation fee for any student eligible for reduced price or free lunches as determined by federal regulations.

Adopted: 2006

LEGAL REFS.: ~~20 U.S.C. 1116 (choice options contained in No Child Left Behind Act of 2001)~~
C.R.S. 22-32-110 (1)(a) (hold real property in name of district)
C.R.S. 22-32-113 (transportation of pupils and imposition of fee for excess transportation costs)
C.R.S. 22-32-114 (transportation by parents of own children)
C.R.S. 22-51-101 et seq. (Public School Transportation Fund)

CROSS REFS.: DEA, Fund From Local Tax Services
EEA, subcodes, (all relate to the district's transportation program)

EFC, Free and Reduced-Price Food Services
JFBA, Intra-District Choice/Open Enrollment
JQ, Student Fees, Fines and Charges
LBD*-R, Relations with District Charter Schools (Procedures for Establishment,
Review, Renewal, Revocation and Closure) – Regulation

**Opt-Out Form
for Disclosure of Information to Military Recruiters**

- [] As a parent, I request that ~~Do not disclose~~ my child's/my name, address, telephone number and any other or directory information not be released to any United States military recruiter.

Signature of parent/guardian ~~or student~~ _____

Student's name _____

Date _____

- [] As a student who is 18 years of age or older, I request that my name, address, telephone number and any other directory information not be released to any United States military recruiter.

Signature of student _____

Student's name _____

Date _____

Issue Date:

[Revised January 2018]

COLORADO SAMPLE EXHIBIT 2007©

NOTE: ~~While~~ Colorado school districts are ~~not~~ required by law to adopt a regulation on this subject, ~~and the law contains some specific direction as to the content or language. some content in this sample reflects legal requirements school districts must follow.~~ This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

This regulation is intended to replace former regulation JF-R, Admission and Denial of Admission (Procedures for Students in Out-of-Home Placements).

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Students in Foster Care Admission and Denial of Admission

~~(Procedures for Students in Out-of-Home Placements)~~

Definition

In accordance with state law, and for purposes of this regulation, a “student in out-of-home placement” means:

- ~~a child or youth who is in foster care and receiving educational services through a state-licensed day treatment facility;~~
- ~~a child or youth who is in placement for twenty-four-hour residential care in any facility or center operated or licensed by the department of human services;~~
- ~~a child or youth who transfers school enrollment as a result of being returned to his or her home at the conclusion of an out-of-home placement.~~

“Student in out-of-home placement” does not include a child or youth who is in twenty-four-hour residential care funded totally by private moneys or a child or youth who is in an out-of-home placement for purposes of adoption.

Child welfare education liaison

~~The superintendent shall designate a~~At least one district staff member shall be designated to serve as the child welfare education liaison. In lieu of designating a district employee, the district may contract with an individual or request that the district’s Board of Cooperative Services (BOCES) designate a BOCES employee to serve as the district’s child welfare education liaison. By August 15 of each year, the district shall report the name and contact information of the district’s child welfare education liaison to the Colorado Department of Education.

The child welfare education liaison shall be responsible for working with child placement agencies, county departments of human services, and the state department of human services to facilitate the prompt and appropriate placement, transfer, and enrollment of students in foster care. ~~-out-of-home placements-~~The

specific duties of the child welfare education liaison shall include, but are not limited to:

- working with social workers from county departments of human services, juvenile probation officers, and foster care parents to ensure the immediate prompt school enrollment and prompt transfer of students' education information and records when students are required to change school enrollment due to changes in placement;
- ensuring that the education information and records of a student in foster care out-of-home placement are delivered to the student's new school within five school days after receiving a request for the transfer of the student's education information and records from a county department of human services;
- participating and collaborating on best interest determinations with the local county department of human services; and
- providing training to district staff on the Title I provisions and educational needs of students in foster care.

In addition to the liaison's duties pertaining to students in foster care out-of-home placements, the district's child welfare education liaison is designated to receive notice of a student who is transitioning to public school from a state-licensed day treatment facility, facility school or hospital providing inpatient acute care or psychiatric services and who has been determined by that facility, facility school, hospital, or a court to be a risk to himself or herself or the community within the 12 months prior to the proposed transfer to a public school. Under certain circumstances, the child welfare education liaison may receive an invitation to participate in the development of a transition plan for such student.

Enrollment determinations

In making enrollment determinations, the child welfare education liaison shall assist appropriate county department of human services representatives in making "best interest of the child" education decisions, particularly the determination of whether or not it is in the best interest of the student in foster care to remain in his/her school of origin or to enroll in a new school.

Transfer of education records

If a student in foster care out-of-home placement transfers to another school, the sending district shall transfer the student's education information and records to the receiving school within five school days after receiving a transfer request from the county department of human services that has legal custody of the student.

The sending district may release the student's education information and records to an employee of the county department of human services for the sole purpose of transferring the education information and records to the student's new school. Such release shall be in accordance with applicable state and federal law, including the Family Educational Rights and Privacy Act.

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If the request for a records transfer involves a student who is receiving special education services pursuant to an individualized education plan, the sending district shall notify its special education director of the records request.

The sending district shall not delay the transfer of education information and records of a student in ~~foster care out-of-home placement~~ for any reason, including but not limited to the existence of any unpaid fines or fees.

Enrollment in a new school

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~~If it is determined that it is not in the student's best interests to remain in his/her school of origin and U~~unless otherwise permitted by state law to deny enrollment, the district or new school shall immediately enroll a student in foster care in the new school, out-of-home placement within five days after receiving the student's education information and records, regardless of whether:

- the district or school has received the student's education records or certificate of immunization;
- the student can comply with any requirements pertaining to the use of school uniforms or other clothing restrictions; or
- the student can comply with any other pre-enrollment restrictions or requirements imposed by the district or new school.

~~The district or school may deny enrollment to a student in out-of-home placement for the following reasons, subject to the district's responsibilities under the Exceptional Children's Educational Act and other laws pertaining to the education of students with disabilities:~~

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

~~The following shall constitute additional grounds for denial of enrollment of a student in out-of-home placement:~~

- ~~1. Graduating from the 12th grade of any school or receipt of any document evidencing completion of the equivalent of a secondary education.~~
- ~~2. Failure to meet age requirements.~~
- ~~3. Having been expelled from any school district from the preceding 12 months, if the expulsion was for having drugs or weapons at school or for being a danger to self or others.~~
- ~~4. Not being a resident of the district unless otherwise entitled to attend under G.R.S. 22, Articles 23 (migrant children), 32 (exclusion of non-residents) or 36 (schools of choice).~~

~~5. Behavior in another school district during the preceding 12 months that is detrimental to the welfare or safety of other pupils or of school personnel.~~

If the district or new school enrolls a student in foster care out-of-home placement without receiving the student's certificate of immunization, the district or school shall notify the student's legal guardian that, unless the district or school receives the student's certificate of immunization or a written authorization for administration of immunizations within fourteen (14) days after the student enrolls, the student in foster care out-of-home placement shall be suspended until such time as the district or school receives the certificate of immunization or authorization.

Transfer of credits

When a student in foster care out-of-home placement transfers from one school to another school, the sending school shall certify to the receiving school or district the coursework that the student fully or partially completed while enrolled. The receiving school or district shall accept the student's certified coursework as if it had been completed at the receiving school.

The receiving school or district shall apply all of the student's certified coursework toward completion of the student's requirements for the grade level in which the student is enrolled at the receiving school or for graduation from the receiving school if the student is enrolled in 12th grade. The receiving school or district may award elective credit for any portion of the student's certified coursework that is not aligned with the curriculum of the receiving school or district.

Excused absences

~~A student in out-of-home placement shall receive an excused absence if the student misses school due to a required court appearance or participation in court-ordered activities, including but not limited to family visitation or therapy. The student's assigned social worker shall verify the student's absence was for a court appearance or court-ordered activity.~~

Waiver of fees

~~The school or district in which a student in out-of-home placement is enrolled shall waive all fees that would otherwise be assessed against the student, including but not limited to any general fees, fees for books, fees for lab work, fees for participation in in-school or extracurricular activities, and fees for before-school or after-school programs.~~

~~The school or district shall not limit the opportunity of a student in out-of-home placement to participate in in-school and extracurricular activities and before-school and after-school programs due to waiver of participation fees.~~

Transportation

Applicable federal law requires the district to develop procedures to ensure that students in foster care who need transportation to their respective schools of origin promptly receive that transportation, and to ensure that such transportation is arranged and provided in a cost-effective manner. Accordingly, when the district is

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notified that a student in foster care needs, or may need, transportation to a district school, the child welfare education liaison will take steps to establish an individualized plan that addresses how transportation to maintain the student in his/her school of origin will be arranged, provided and funded for the duration of time that the student is in foster care and attending his/her school of origin.

In establishing such a plan, the child welfare education liaison and other district staff shall follow any existing transportation procedures that the district, acting in collaboration with one or more relevant departments of human services, has adopted or otherwise expressly agreed to implement for the cost-effective transportation of the student in foster care. If there are additional costs in providing transportation to the school of origin, the district will provide such transportation if:

- the local county department of human services agrees to reimburse the district for the cost of such transportation;
- the district agrees to pay for the cost; or
- the district and local county department of human services agree to share the cost.

(Adoption date)

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[Revised ~~and recoded January 2018-November 2019~~]
COLORADO SAMPLE REGULATION 2008©

New Sample Policy

File: JFABE*

Students in Foster Care

It is the Board's intent to promote educational stability for students in foster care in accordance with state and federal law. Terms used in this policy and its accompanying regulation, such as "foster care," "school of origin," "child's best interest" and "child welfare agency" shall be as defined by applicable federal law.

The district shall coordinate with other districts and with local child welfare agencies and other agencies or programs providing services to students in foster care as needed.

At least one staff member shall be designated to serve as the child welfare education liaison and fulfill the duties set forth in state and federal law.

Duties of the child welfare liaison and procedures for enrollment and transportation for students in foster care shall be made in accordance with the accompanying regulation and applicable law.

(Adoption date)

LEGAL REFS.: 20 U.S.C. 1232g (*Family Educational Rights and Privacy Act*)
20 U.S.C. 6311 (g)(1)(E) and 6312(c)(5) (*provisions in Every Student Succeeds Act (ESSA) regarding obligations to students in foster care*)
42 U.S.C. 671 (a)(10) and 675(1)(G) (*child welfare agency requirements related to supporting normalcy for children in foster care and ensuring educational stability of children in foster care*)
34 C.F.R. 200.30 (f)(1)(iii) (*ESSA's definition of "foster care"*)
C.R.S. 22-32-138 (*enrollment of students in out-of-home placements*)
C.R.S. 22-33-103 through 22-33-110 (*school attendance law*)

CROSS REFS.: JF, Admission and Denial of Admission
JH, Student Absences and Excuses
JJJ, Extracurricular Activity Eligibility
JLCB, Immunization of Students
JQ, Student Fees, Fines and Charges

NOTE 1: The term "foster care" is defined in federal law as follows:

Foster care means 24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions and pre-adoptive homes. A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed and payments are made by the state, tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is federal matching of any payments that are made. A child in foster care also includes a child who is awaiting foster care placement. 34 C.F.R. 200.30 (f)(1)(iii).

NOTE 2: While the definition of “student in out-of-home placement” in state law closely tracks the federal law’s definition of a student in foster care, state law contains the following language which is NOT found in federal law:

- a child or youth who transfers school enrollment as a result of being returned to his or her home at the conclusion of an out-of-home placement.*

C.R.S. 22-32-138 (1)(e). Colorado school districts that receive federal funds are required to follow the more stringent federal law requirements for students in foster care. All Colorado school districts must follow the requirements of state law regarding “students in out-of-home placements.” The biggest difference between the two is that the federal law requires “immediate” enrollment and provision of transportation, in coordination with the child welfare agency. State law requires enrollment of a “student in out-of-home placement” within five days of the school’s receipt of the student’s education records and does not address transportation.

Strasburg School District 31J
56729 East Colorado Avenue
Strasburg, Colorado 80136

**Minutes of the Regular Meeting of the Board of Education
February 14, 2018 (6:30 P.M.) – SHS – East Video Conference Room #110**

CALL TO ORDER:

Meeting was called to order at 6:30 P.M. by Board President, Mr. John Sampson

ATTENDANCE: (Roll Call)

Board members present were: Nancy Taylor, Connie Lybarger, John Sampson, and Julie Winter.
(Board member Robert Yaich was absent).

Others present were Monica Johnson (Superintendent of Schools), Jeff Rasp (SHS Principal), Sara Turrell (HMS Principal), Carol Wethington (SES Principals) Stephanie Velez (Secretary to the BOE), I-70 Scout, members of the elementary choir and some staff members of the District.

PLEDGE OF ALLEGIANCE: Mr. John Sampson

AGENDA APPROVAL:

On a motion by Nancy Taylor and seconded by Connie Lybarger, it is hereby resolved to approve the agenda.

AYE: LYBARGER, SAMPSON, TAYLOR, WINTER

NAY: NONE – MOTION CARRIED: 4-0 (YAICH ABSENT)

PATRONS ADDRESSING THE BOARD OF EDUCATION:

SES choir students gave a brief presentation/performance to the board of education with regards to their upcoming theater production, Willy Wonka and the Chocolate Factory

SUPERINTENDENT'S REPORT: (Mrs. Johnson addressed the BOE on each of the following items.)

Superintendent Johnson gave the Board of Education a demonstration of the new district security cameras. Superintendent Johnson then turned the floor over the SHS Principal, Jeff Rasp who reviewed student achievement and graduation rates. Superintendent Johnson then presented information on the following: alternative fuel buses, transportation routes, the districts' civil rights audit, and an update on current legislation and a revenue forecast review.

BOARD DISCUSSION ITEMS:

Board President John Sampson updated the Board of Education on BOCES.

BOARD ACTION ITEMS:

On a motion by Nancy Taylor and seconded by Connie Lybarger it is hereby resolved to approve Superintendent, Monica Johnson's contract for the 2019-2020 school year.

AYE: LYBARGER, SAMPSON, TAYLOR, WINTER

NAY: NONE – MOTION CARRIED: 4-0 (YAICH ABSENT)

On a motion by Nancy Taylor and seconded by Julie Winter it is hereby resolved to approve the spring coaches contracts as presented.

AYE: LYBARGER, SAMPSON, TAYLOR, WINTER

NAY: NONE – MOTION CARRIED: 4-0 (YAICH ABSENT)

On a motion by Nancy Taylor and seconded by Connie Lybarger, it is hereby resolved to approve the resignation of bus driver Cara Blocker.

AYE: LYBARGER, SAMPSON, TAYLOR, WINTER

NAY: NONE – MOTION CARRIED: 4-0 (YAICH ABSENT)

On a motion by Connie Lybarger and seconded by Julie Winter, it is hereby resolved to approve the 2018-2019 school calendar as presented.

AYE: LYBARGER, SAMPSON, WINTER

NAY: TAYLOR – MOTION CARRIED: 3-0 (YAICH ABSENT)

On a motion by Nancy Taylor and seconded by Julie Winter, it is hereby resolved to approve, with noted changes the 1st reading of policies: ADF-R School Wellness, GBK-R Staff Concerns Complaints and Grievances, JKA-E-2 Use of Physical Intervention and Restraint Exhibit.

AYE: LYBARGER, SAMPSON, TAYLOR, WINTER

NAY: NONE – MOTION CARRIED: 4-0 (YAICH ABSENT)

CONSENT AGENDA: BOARD MINUTES AND CLAIMS AND FINANCIALS SECTION VII

On a motion by Nancy Taylor and seconded by Julie Winter, it is hereby resolved to approve the minutes, claims and financial packet for the January 10th regular meeting, and the minutes for the special meetings held on January 17th and February 5th.

AYE: LYBARGER, SAMPSON, TAYLOR, WINTER

NAY: NONE – MOTION CARRIED: 4-0 (YAICH ABSENT)

ADJOURNMENT:

John Sampson, President

Date

Robert Yaich, Secretary

Date