

Mission
Statement

*Develop responsible and
productive members of
society*

Strasburg School District
31-J

**September 13th, 2017 @ 6:30
p.m.**

Board of Education

Nancy Taylor, President

Keith Yaich, 1st Vice President

John Sampson, 2nd Vice President

Robert Yaich, Secretary

Connie Lybarger, 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.

- ❖ Call to Order
- ❖ Request from patrons to address the Board
- ❖ Report of the Superintendent
- ❖ Board Discussion
- ❖ Executive Session
- ❖ Board Action Items
- ❖ Consent Agenda
- ❖ Adjournment

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. **Report of the Superintendent & Board Discussion**
 - a. BOCES update – Nancy Taylor
 - b. Preliminary Tax Assessments (Page 4)
 - c. Facilities
 - i. New Housing Development
 - ii. Master Plan Development for HMS Landscaping
 - iii. ADA Review
 - d. New Website
 - e. CASB Regional Meeting in Limon
 - f. READ Waiver

- III. **Board Action items**
 - a. Resolution to Cancel 2017 BOE election and declare candidate elected (Page 6)
 - b. Personnel

New Hires:

 - i. Dawna Miller, HMS assistant volleyball coach (Page 7)
 - ii. Connie Perrino, HMS assistant volleyball coach
 - iii. Chris McCoy SHS volleyball assistant coach (Page 8)
 - iv. Micheal Gallegos SHS boys assistant golf coach (Page 9)
 - v. Updated Tosa/Sosa lists for SHS, HMS and SES (Pages 10,11,12)

Resignations:

 - vi. Heather Turner, cook (Page 13)
 - c. Policy - Revisions
 - i. EBCE – School Closings and Cancelations (Page 14)
 - ii. GBEB Staff Conduct (Page 15)
 - iii. IC-ICA School Year/School Calendar/Instruction Time (Page 17)
 - iv. JFBB-R Inter-District Choice/Open Enrollment Regulation (Page 20)
 - v. JICDD Violent and Aggressive Behavior (Page 24)
 - vi. JICF Secret Societies/Gang Activities (Page 27)
 - vii. JICH-R Drug and Alcohol Involvement by Students (Page 29)
 - viii. JICJ Student Use of Cell Phones and Other Personal Technology (Page 32)
 - ix. JK Student Discipline (Page 34)
 - x. JKA-R Use of Physical Intervention and Restraint Regulation (Page 36)
 - xi. JKA Use of Physical Intervention and Restraint (Page 42)
 - xii. JKD-JKE-R Suspension/Expulsion of Students (Page 45)
 - xiii. JK-R Student Discipline Regulation (Page 54)
 - xiv. JQ Student Fees, Fines and Charges (Page 56)
 - d. Policy – New – First Read
 - i. GBEB-R Staff Conduct Regulation (Page 60)
 - e. Policy – New 2nd and Final Read
 - i. ECAF – Use of Video and Audio Monitoring (Page 62)
 - ii. ECAF-R Use of Video and Audio Monitoring Regulation (Page 63)

- f. Policy – Revoke
 - i. EC Buildings/Grounds/Property Management
 - ii. ECAC Vandalism
 - iii. EEAA Walkers and Riders
 - iv. EEAC Bus Scheduling and Routing
 - v. EEAC-R Bus Scheduling and Routing Regulation
 - vi. EEAEF-E Notice to Students and Parents/Guardians Regarding the Use of Video Recorders on School Buses Exhibit
 - vii. GBG Liability of School Personnel/Staff Protection
 - viii. GBGAA Staff Training in Crisis Prevention and Management
 - ix. JLDBA Suicide Prevention
 - x. JLDBA-R Suicide Prevention – Regulation
 - xi. JLDBH Suicide or Other Traumatic Loss of Life
 - xii. JLDBH-R Suicide or Other Traumatic Loss of Life Regulation
- g. IREA Easement Approval (Page 66)
- h. Attendance at CASB Winter Conference
- i. Change names of safety deposit boxes (Page 72)
- j. Approve District Accountability Committee Members (Page 73)

IV. Consent Agenda

- a. Approval of the minutes of the August 9, 2017 Regular Board Meeting (Page 74) and August 24, 2017 Work Session(Page 76).
- b. Approval of claims, accounts, and financial statements, as appropriate. 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.

V. Adjournment

CERTIFICATION OF VALUATION BY ARAPAHOE COUNTY ASSESSOR

New Tax Entity YES NO

Date: August 25, 2017

NAME OF TAX ENTITY: STRASBURG SCHOOLS # 31J

USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATION ("5.5%" LIMIT) ONLY

IN ACCORDANCE WITH 39-5-121(2)(a) AND 39-5-128(1), C.R.S., AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES THE TOTAL VALUATION FOR ASSESSMENT FOR THE TAXABLE YEAR 2017:

| | | |
|---|--------|------------|
| 1. PREVIOUS YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION: | 1. \$ | 24,317,432 |
| 2. CURRENT YEAR'S GROSS TOTAL TAXABLE ASSESSED VALUATION: ‡ | 2. \$ | 27,732,292 |
| 3. LESS TOTAL TIF AREA INCREMENTS, IF ANY: | 3. \$ | 0 |
| 4. CURRENT YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION: | 4. \$ | 27,732,292 |
| 5. NEW CONSTRUCTION: * | 5. \$ | 1,425,189 |
| 6. INCREASED PRODUCTION OF PRODUCING MINE: ≈ | 6. \$ | 0 |
| 7. ANNEXATIONS/INCLUSIONS: | 7. \$ | 0 |
| 8. PREVIOUSLY EXEMPT FEDERAL PROPERTY: ≈ | 8. \$ | 0 |
| 9. NEW PRIMARY OIL OR GAS PRODUCTION FROM ANY PRODUCING OIL AND GAS LEASEHOLD OR LAND (29-1-301(1)(b), C.R.S.): Φ | 9. \$ | 0 |
| 10. TAXES RECEIVED LAST YEAR ON OMITTED PROPERTY AS OF AUG. 1 (29-1-301(1)(A), C.R.S.). Includes all revenue collected on valuation not previously certified: | 10. \$ | 1,450 |
| 11. TAXES ABATED AND REFUNDED AS OF AUG. 1 (29-1-301(1)(a), C.R.S.) and (39-10-114(1)(a)(I)(B), C.R.S.): | 11. \$ | 2,039 |

‡ This value reflects personal property exemptions IF enacted by the jurisdiction as authorized by Art. X, Sec 20(8)(b), Colo. Constitution
 * New construction is defined as: Taxable real property structures and the personal property connected with the structure.
 ≈ Jurisdiction must submit to the Division of Local Government respective Certifications of Impact in order for the values to be treated as growth in the limit calculation; use Forms DLG 52 & 52A.
 Φ Jurisdiction must apply to the Division of Local Government before the value can be treated as growth in the limit calculation; use Form DLG 52B.

USE FOR TABOR "LOCAL GROWTH" CALCULATION ONLY

IN ACCORDANCE WITH ART X, SEC.20, COLO. CONSTITUTION AND 39-5-121(2)(b), C.R.S., THE ASSESSOR CERTIFIES THE TOTAL ACTUAL VALUATION FOR THE TAXABLE YEAR 2017:

| | | |
|--|-------|-------------|
| 1. CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY: ¶ | 1. \$ | 196,117,663 |
| ADDITIONS TO TAXABLE REAL PROPERTY | | |
| 2. CONSTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS: | 2. \$ | 18,510,377 |
| 3. ANNEXATIONS/INCLUSIONS: | 3. \$ | 0 |
| 4. INCREASED MINING PRODUCTION: § | 4. \$ | 0 |
| 5. PREVIOUSLY EXEMPT PROPERTY: | 5. \$ | 0 |
| 6. OIL OR GAS PRODUCTION FROM A NEW WELL: | 6. \$ | 0 |
| 7. TAXABLE REAL PROPERTY OMITTED FROM THE PREVIOUS YEAR'S TAX WARRANT: (If land and/or a structure is picked up as omitted property for multiple years, only the most current year's actual value can be reported as omitted property.): | 7. \$ | 0 |

DELETIONS FROM TAXABLE REAL PROPERTY

| | | |
|---|--------|---|
| 8. DESTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS: | 8. \$ | 0 |
| 9. DISCONNECTIONS/EXCLUSIONS: | 9. \$ | 0 |
| 10. PREVIOUSLY TAXABLE PROPERTY: | 10. \$ | 0 |

¶ This includes the actual value of all taxable real property plus the actual value of religious, private school, and charitable real property.
 * Construction is defined as newly constructed taxable real property structures.
 § Includes production from new mines and increases in production of existing producing mines.

IN ACCORDANCE WITH 39-5-128(1), C.R.S., AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES TO SCHOOL DISTRICTS:

| | | |
|---|-------|-------------|
| 1. TOTAL ACTUAL VALUE OF ALL TAXABLE PROPERTY | 1. \$ | 226,754,700 |
|---|-------|-------------|

NOTE: ALL LEVIES MUST BE CERTIFIED TO THE COUNTY COMMISSIONERS NO LATER THAN DECEMBER 15.

CERTIFICATION OF VALUATION BY ADAMS COUNTY ASSESSOR

Name of Jurisdiction: **104 - School District 31-Strasburg**

IN ADAMS COUNTY ON 8/16/2017

New Entity: No

USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATIONS (5.5% LIMIT) ONLY

IN ACCORDANCE WITH 39-5-121(2)(a) AND 39-5-128(1), C.R.S. AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES THE TOTAL VALUATION FOR ASSESSMENT FOR THE TAXABLE YEAR 2017 IN ADAMS COUNTY, COLORADO

| | |
|---|--------------|
| 1. PREVIOUS YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION: | \$71,235,110 |
| 2. CURRENT YEAR'S GROSS TOTAL TAXABLE ASSESSED VALUATION: * | \$72,011,180 |
| 3. LESS TIF DISTRICT INCREMENT, IF ANY: | \$0 |
| 4. CURRENT YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION: | \$72,011,180 |
| 5. NEW CONSTRUCTION: ** | \$221,870 |
| 6. INCREASED PRODUCTION OF PRODUCING MINES: # | \$0 |
| 7. ANNEXATIONS/INCLUSIONS: | \$0 |
| 8. PREVIOUSLY EXEMPT FEDERAL PROPERTY: # | \$0 |
| 9. NEW PRIMARY OIL OR GAS PRODUCTION FROM ANY PRODUCING OIL AND GAS LEASEHOLD OR LAND (29-1-301(1)(b) C.R.S.): ## | \$0 |
| 10. TAXES COLLECTED LAST YEAR ON OMITTED PROPERTY AS OF AUG. 1 (29-1-301(1))(a) C.R.S.): | \$0.00 |
| 11. TAXES ABATED AND REFUNDED AS OF AUG. 1 (29-1-301(1)(a) C.R.S.) and (39-10-114(1)(a)(I)(B) C.R.S.): | \$1,004.78 |

* This value reflects personal property exemptions IF enacted by the jurisdiction as authorized by Art. X, Sec. 20(8)(b), Colo.
 ** New construction is defined as: Taxable real property structures and the personal property connected with the structure.

Jurisdiction must submit respective certifications (Forms DLG 52 AND 52A) to the Division of Local Government in order for the values to be treated as growth in the limit calculation.

Jurisdiction must apply (Forms DLG 52B) to the Division of Local Government before the value can be treated as growth in the limit calculation.

USE FOR 'TABOR' LOCAL GROWTH CALCULATIONS ONLY

IN ACCORDANCE WITH THE PROVISION OF ARTICLE X, SECTION 20, COLO CONST, AND 39-5-121(2)(b), C.R.S. THE ASSESSOR CERTIFIES THE TOTAL ACTUAL VALUATION FOR THE TAXABLE YEAR 2017 IN ADAMS COUNTY, COLORADO ON AUGUST 25, 2017

| | |
|---|-----|
| 1. CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY: @ | \$0 |
| ADDITIONS TO TAXABLE REAL PROPERTY: | |
| 2. CONSTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS: † | \$0 |
| 3. ANNEXATIONS/INCLUSIONS: | \$0 |
| 4. INCREASED MINING PRODUCTION: % | \$0 |
| 5. PREVIOUSLY EXEMPT PROPERTY: | \$0 |
| 6. OIL OR GAS PRODUCTION FROM A NEW WELL: | \$0 |
| 7. TAXABLE REAL PROPERTY OMITTED FROM THE PREVIOUS YEAR'S TAX WARRANT: <small>(If land and/or a structure is picked up as omitted property for multiple years, only the most current year's actual value can be reported as omitted property.)</small> | \$0 |
| DELETIONS FROM TAXABLE REAL PROPERTY: | |
| 8. DESTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS: | \$0 |
| 9. DISCONNECTIONS/EXCLUSION: | \$0 |
| 10. PREVIOUSLY TAXABLE PROPERTY: | \$0 |

@ This includes the actual value of all taxable real property plus the actual value of religious, private schools, and charitable real property.

† Construction is defined as newly constructed taxable real property structures.

% Includes production from new mines and increases in production of existing producing mines.

| | |
|--|---------------|
| IN ACCORDANCE WITH 39-5-128(1), C.R.S. AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES TO SCHOOL DISTRICTS: 1. TOTAL ACTUAL VALUE OF ALL TAXABLE PROPERTY:-----> | \$526,833,099 |
|--|---------------|

NOTE: All levies must be Certified to the Board of County Commissioners NO LATER THAN DECEMBER 15, 2017

Data Date: 8/16/2017

Cancellation of School Board Election

WHEREAS, the only matter before the electors at the regular biennial school election on November 7, 2017, is the election of 2 persons to fill the Board of Directors positions; and

WHEREAS, John Sampson and Julina Winter, individuals have nomination petitions with sufficient signatures to qualify as candidates; and

WHEREAS, the deadline for filing an affidavit of intent to be a write-in candidate has passed with No individual(s) filing such an affidavit; and

WHEREAS, state law at *Colo. Rev. Stat. § 1-5-208(1.5)* authorizes the Board of Education by resolution to cancel the election and declare the candidates elected if at the close of business on September 1, 2017 there are not more candidates than offices to be filled at the election, including candidates filing affidavits of intent to be write-in candidates.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education of the Strasburg School District has determined that the prerequisites for canceling the election have been met so the 2017 regular school biennial election is canceled.

BE IT FURTHER RESOLVED that Georgia Steele, the designated election official for the regular school biennial election, is authorized to take all necessary and appropriate steps to cancel the election, including providing notice of the cancellation by publication and by posting notice at each polling location, in the office of the designated election official and in the office of the county clerk and recorder; and

BE IT FURTHER RESOLVED that the designated election official shall officially notify the county clerk and recorder of this action so that election expenses to date can be pro-rated accordingly; and

BE IT FURTHER RESOLVED that the following individuals are hereby declared elected by acclamation: John Sampson, Julina Winter; and

BE IT FURTHER RESOLVED that the designated election official shall notify these candidates of the cancellation of the election and of their resulting election by acclamation; and

BE IT FURTHER RESOLVED that between Election Day and the next regular meeting of the Board of Education or the Board's organizational meeting, whichever comes first, the designated election official shall provide these candidates with certificates of election after which they shall each take the oath of office within 10 days and will thereafter be qualified to participate in meetings of the Board of Education.

Approved this 13th day of September, 2017, by a vote of _____.

President, Board of Education

Attest: _____
Secretary, Board of Education

Revised Sample Policy

File: EBCE

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.

School Closings and Cancellations

The superintendent is empowered to close the schools or to dismiss them early in event of hazardous weather or other emergencies which threaten the safety, health or welfare of students or staff members. It is understood that the superintendent will take such action only after consultation with appropriate authorities. ~~The Board shall ratify the closing at its next regular meeting.~~

Parents, students and staff members shall be informed early in each school year as to how they shall be notified in the event of emergency closings or early dismissals.

All staff members, except for teachers and personnel who work only on teacher work days or on student days, unless otherwise notified shall be required to report to work as soon as possible on emergency days.

Adopted: 2006

LEGAL REFS.: C.R.S. 22-1-112 (*school year and national holidays*)
C.R.S. 22-32-109 (1)(n) (*Board's duty to determine number of instructional/contact hours/days*)
C.R.S. 22-33-101 *et seq.* (*school attendance law*)
1 CCR 301-39, Rules 2254-R-2.06 (*Board may reduce teacher-pupil instructional/contact time; closings deemed by Board necessary for health, safety or welfare of pupils*)

CROSS REFS.: IC/ICA, School Year/School Calendar/Instruction Time
JLIB, Student Dismissal Precautions

[Revised June 2017 January 2003]
COLORADO SAMPLE POLICY 1988©

New Sample Regulation

File: GBEB-R

NOTE: While Colorado school districts are not required by law to adopt a regulation on this subject, CASB believes this sample contains the content/language that reflects “best practices” and may help to protect the district from liability. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Staff Conduct (And Responsibilities)

Professional boundaries with students

In a professional staff/student relationship, staff members maintain boundaries with students that are consistent with their professional code of conduct and obligations. All district employees are expected to observe and maintain proper professional boundaries, in accordance with this regulation and accompanying policy.

The following list provides examples of staff conduct that, in the absence of evidence of a legitimate educational purpose or other reason deemed valid by the district, may be regarded as evidence that a staff member has violated professional boundaries with a student:

- any type of inappropriate physical contact with a student or any other conduct that might be considered harassment under Board policy
- furnishing alcohol, drugs or tobacco to a student or being present when any student is consuming these substances
- repeating sexual or inappropriate romantic rumors
- accepting massages, or offering or giving massages other than in the course of injury care administered by the appropriate athletic trainer, coach or health care provider
- singling out a particular student or students for personal attention or friendship beyond the ordinary professional staff-student relationship
- being alone with a student behind closed doors
- initiating or extending contact with a student beyond the school day or outside of class times for the staff member’s personal purposes
- sending or accompanying a student on personal errands
- inviting a student to a staff member’s home without appropriate chaperones
- going to a student’s home when the student’s parent/guardian or an appropriate chaperone is not present
- giving a student a ride in a vehicle without prior notification to and approval from both the student’s parent/guardian and the building principal, except in an emergency under appropriate circumstances
- giving gifts or money to the student
- any other action or activity similar in nature to those listed above

Prohibited communications in any format (email, text messaging, written communications, in person, etc.) by a staff member with a student includes, but is not limited to the following:

- any communications without a legitimate educational reason
- flirting, propositions or sexual remarks
- sexual slurs, leering, sexual or derogatory comments
- inappropriate comments about a student's body
- sexual jokes, notes, stories, drawings, gestures or pictures
- displaying or transmitting sexual pictures, objects or depictions
- disclosing personal, sexual, romantic, marital or employment issues or other private matters
- other communications or activities similar in nature to those listed above

Reporting violations and disciplinary action

Staff members shall promptly notify the principal or superintendent if they become aware of a situation that may constitute a violation of this regulation. Depending on the specific circumstances of the allegations or suspicions, staff members may have a mandatory duty under state law to report the violation(s) as child abuse, in accordance with applicable Board policy.

Students and their parents/guardians should notify the principal or superintendent if they believe a teacher or other staff member may be engaging in conduct that violates this regulation.

In determining whether a violation of professional boundaries has occurred, the district shall consider the totality of the circumstances, including the nature and extent of the conduct involved, the job description and duties of the employee, the employee's intent or purpose in engaging in the conduct, and whether the conduct caused harm to the student or adversely affected the education of students.

Persons reporting in good faith regarding alleged violations or suspected violations of this regulation shall not be subjected to retaliation in any form.

(Approval date)

Revised Sample Policy

File: IC/ICA

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.

School Year/School Calendar/Instruction Time

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

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

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

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

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

NOTE: For everything except lunch, the Board has discretion when determining what it means to be "actively engaged in the educational process." For example, the time between two classes or between a class and lunch period known as "passing time" may be included in the definition when the school calendar is developed. If the Board intends to include passing time, then it should include that bulleted point under the definition of "actively engaged in the educational process" in the first set of bullets above and delete it from those activities that are not included in the definition.

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

The district calendar for the next school year shall be prepared by the superintendent and presented to the Board for approval in the spring of each year. The superintendent shall consult with other districts in the area when preparing the calendar.

The Board authorizes the administration in each school building to issue a school calendar based on the district calendar and in accordance with this policy. Administrators are encouraged to examine instruction time and calendar issues in the context of supporting the district's educational objectives.

~~All~~ Calendars shall include the dates for all staff in-service programs scheduled for the upcoming school year. The administration ~~will shall~~ allow public input from parents and teachers prior to scheduling the dates for staff in-service programs.

A copy of the calendar shall be provided to all parents/guardians of students enrolled in district schools. Any change in the calendar except for emergency closings or other unforeseen circumstances shall be preceded by adequate and timely notice of no less than 30 days.

~~If a school day is lost due to an emergency, the Board at its next regular meeting shall ratify the administrative action in closing the school.~~

(Adoption date)

LEGAL REFS.: C.R.S. 22-1-112 (*school year and national holidays*)
C.R.S. 22-32-109 (1)(n) (*duty to determine school year and instruction hours*)
C.R.S. 22-33-102 (1) (*definition of academic year*)
C.R.S. 22-33-104 (1) (*compulsory attendance law*)
C.R.S. 22-44-115.5 (*fiscal emergency*)
1 CCR 301-39, Rules 2254-R-2.06 (*school year and instruction hours; definition of contact/instruction time*)

CROSS REF.: EBCE, School Closings and Cancellations

NOTE: State law establishes the school year as 1080 hours of planned teacher-student instruction for secondary school students (high school, middle school or junior high), 990 hours of such instruction for elementary school students other than kindergartners, 900 hours of such instruction for a full-day kindergarten program and 450 hours of such instruction for a half-day kindergarten program. The actual hours of teacher-student instruction may be reduced for parent/teacher conferences, staff in-service programs and closings due to student health, safety or welfare concerns to 1056 hours for secondary students, 968 hours for elementary students other than kindergartners, 870 hours for full-day kindergarten students and 435 hours for half-day kindergarten students. In no case shall a school schedule fewer than 160 days without specific prior approval of the commissioner of education. [C.R.S. 22-32-109 (1)(n)]

Teacher-Pupil Instruction Minimum Hours/Days

| | | | |
|--|--------------------|---|-----------------|
| <i>Half-Day Kindergarten</i> | <i>450 hours</i> | <i>(can be reduced* to 435 hours)</i> | <i>160 days</i> |
| <i>Full-Day Kindergarten</i> | <i>900 hours</i> | <i>(can be reduced* to 870 hours)</i> | <i>160 days</i> |
| <i>Elementary (besides kindergarten)</i> | <i>990 hours</i> | <i>(can be reduced* to 968 hours)</i> | <i>160 days</i> |
| <i>Secondary</i> | <i>1,080 hours</i> | <i>(can be reduced* to 1,056 hours)</i> | <i>160 days</i> |

Can be reduced for parent/teacher conferences, staff in-service and closings necessary for student health, safety or welfare. **Not more than 24 hours per school year may be used for parent/teacher conference and staff in-service programs.*

Revised Sample Regulation

File: JFBB-R

NOTE: Colorado school boards are required by law to adopt a regulation on this subject and the law contains some specific direction as to the content or language. This sample contains the content/language that CASB believes best meets the intent of the law. However, the board should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Inter-District Choice/Open Enrollment

The district will consider 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 admission. These regulations apply to all Colorado students who do not reside within the boundaries of the school district.

2. Requests for admission

Requests for 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 [date, such as May 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 admission requests.

Students must submit an 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 admission request no later than [date, such as June 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. Receipt of all applicable records.~~
- c.b. Satisfaction of all district requirements for admission.

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

Those students who apply for 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 _____ of each year, after which a new listing will be developed for the next 12 months.

3. **Grounds for denial of admission**

A request for admission may be denied at any time if: ~~Grounds for denial of admission to a nonresident student who otherwise complies with the district's policies and procedures are limited to the following:~~

- 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 admission to the program or school.
- b. The school requested does not offer appropriate programs **for the student**, ~~or is not structured or equipped with the necessary facilities to meet the~~ **student's** special needs ~~of the student 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** ~~in the~~ preceding 12 months. ~~or is in the process of being expelled because of~~ **habitually disruptive behavior (as defined in law) or for committing a serious offense.**
- 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.

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** this 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.

~~a. the student is expelled from the school or program~~

~~b. the student's continued participation in the school or program requires the district to make alterations in the structure of the school or to the arrangement or function of rooms~~

~~c. there is a lack of space or teaching staff~~

- ~~d. the school does not offer appropriate programs or is not equipped to meet the special needs of the student~~
- ~~e. the school does not offer a program requested by the student~~
- ~~f. the student does not meet established eligibility criteria~~
- ~~g. a desegregation plan is in effect and denial of continued enrollment is necessary to comply with the plan~~

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 [administrator] .

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.

(Adoption date)

Revised Sample Policy

File: JICDD*

NOTE: While Colorado school boards are not required by law to adopt a policy on this subject, they are required to adopt a comprehensive student code of conduct. This policy, if adopted, becomes part of that code. This policy also contains some legal requirements school districts must follow. The board should consult with its own legal counsel to determine whether this language meets local circumstances and needs.

Violent and Aggressive Behavior

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

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

Students shall **immediately** ~~be taught to recognize the warning signs of violent and aggressive behavior and shall report questionable behavior or potentially violent situations to an administrator, counselor or teacher. appropriate school officials. All reports shall be taken seriously.~~

A staff member who witnesses or receives a report of a student's act ~~Acts of violence and aggression shall be documented and communicated by the staff to the building principal or designee as soon as possible. and the superintendent. The immediate involvement of the student's parents/guardians is also essential.~~

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

An act of violence and aggression includes but is not limited to ~~the following behaviors are defined as violent and aggressive:~~

1. Possession, threat with or use of a dangerous weapon — as described in the Board's weapons policy.

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

(Adoption date)

LEGAL REF.: C.R.S. 22-32-109.1 (1)(b) *(definition of bullying)*

CROSS REFS.: AC, Nondiscrimination/Equal Opportunity
JBB*, Sexual Harassment
JICDA, Code of Conduct
JICDE*, Bullying Prevention and Education
JICF, Secret Societies/Gang Activity

JICI, Weapons in School

Revised Sample Policy

File: JICF

NOTE: Colorado school districts are required by law to adopt a policy on this subject, however the specifics of the policy are not set forth in law. 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.

Secret Societies/Gang Activity

The Board of Education desires to keep district schools and students free from the threats or harmful influence of any groups or gangs which advocate drug use, violence or disruptive behavior.

The principal or designee shall **take reasonable steps** ~~maintain continual, visible supervision of school premises, school vehicles and school-related activities to deter~~ gang intimidation of students and confrontations between members of different gangs **on school grounds, in school vehicles and at school activities or sanctioned events.**

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

~~The superintendent or designee shall provide inservice training to help staff members identify gangs and gang symbols, recognize early manifestations of disruptive activities and respond appropriately to gang behavior. Staff members shall be informed about conflict management techniques and alerted to intervention measures and community resources which may help students.~~

Gang symbols

~~The Board prohibits the presence on school premises, in school vehicles and at school-related activities of any apparel, jewelry, accessory, notebook or manner of grooming which by virtue of its color, arrangement, trademark or any other attribute denotes membership in gangs which advocate drug use, violence or disruptive behavior~~ **is prohibited on school grounds, in school vehicles and at school activities or sanctioned events.** ~~This policy shall be applied at the principal's discretion after consultation with the superintendent or designee as the need for it arises at individual school sites.~~

Prevention education

~~The Board realizes that many students become involved in gangs without understanding the consequences of gang membership. Early intervention is a key component of efforts to break the cycle of gang membership. Therefore gang violence prevention education in the schools shall start with students in third grade.~~

(Adoption date)

LEGAL REFS.: ~~C.R.S. 22-1-120 (8)~~
C.R.S. 22-32-109.1 (2)(a)(I)(F) (*policy required as part of safe schools plan*)

CROSS REFS.: IHACA*, Law-Related Education
JICA, Student Dress Code

Revised Sample Regulation

File: JICH-R

NOTE: While Colorado school boards are not required by law to adopt a regulation 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 board should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Drug and Alcohol Involvement by Students

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

Use

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

Possession, distribution and exchange

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

1. A staff member who comes in contact with evidence and/or contraband shall notify the principal or designee **as soon as possible** immediately.

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

NOTE: If the Board chooses option 1 in the accompanying policy, i.e. that student discipline for policy violations shall be in accordance with the Board policy concerning students suspensions, expulsions and other disciplinary interventions, the Board should omit the following section regarding sanctions and interventions. If the Board chooses Option 2 in the accompanying policy, i.e. that student discipline for policy violations shall be in accordance with this regulation, the Board should include a section on sanctions and interventions here. The following is a suggested approach.

Sanctions and interventions

Students are subject to disciplinary action up to and including suspension and expulsion for any single violation of the accompanying policy. Offenses and consequences for violations of the accompanying policy shall be cumulative for three calendar years. Offenses confirmed from schools prior to the student's enrollment in the district may count toward the cumulative total.

Possession, use and/or being under the influence

First offense

1. The student will be suspended from school for three days.
2. A parent conference will be held.
3. The principal or designee will attempt to develop with the student's parent/guardian and student a plan that will outline the responsibilities of the

parent/guardian, the student and the school in an effort to prevent further offenses from occurring.

4. The principal or designee may recommend additional suspension and/or expulsion depending on the severity of the case.

Second offense

1. The student will be suspended from school for five days.
2. The principal or designee may recommend additional suspension and/or expulsion depending on the severity of the case.

Third offense

1. The student will be suspended for 10 days and recommended for expulsion.
2. Alternatively, the expulsion may be waived and a suspension of no less than five days shall be imposed if the student agrees to complete an approved education/counseling/treatment program mutually agreed to by the student's parent/guardian and the principal or designee. The student and student's parent/guardian shall be responsible for the program's completion and its costs. Failure to provide documentation of completion of the program within the required time limits shall result in the imposition of the full expulsion period initially recommended.
3. The principal or designee may determine that the alternative to suspension is not appropriate.
4. Students who complete the approved education/counseling/treatment program shall be expelled for subsequent offenses of the Board's policy regarding student involvement with drugs and alcohol.

Purchase, sale, distribution and exchange

First offense

1. The student will be suspended for 10 days and recommended for expulsion.
2. Alternatives to expulsion may be considered by the principal or designee.

Second offense

1. The student will be suspended for 10 days and recommended for expulsion upon the second offense and all subsequent offenses within any three-year period.

(Approval date)

Revised Sample Policy

File: JICJ

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

Student Use of Electronic Communication-Cell Phones and Other Personal Technology Devices

The Board of Education recognizes that electronic communication ~~believes~~ **personal technology devices may be useful tools for students in the educational environment and** can play a vital communication role during emergency situations. However, ordinary use of **personal technology** electronic communication devices in school situations **must be regulated to assure that the use of such devices does not disrupt or interfere** ~~disrupts and interferes with the educational process or school operations.~~ **Therefore, students may only use PTDs on district property, on a district vehicle or at a district or school-sponsored activity or event in accordance with this policy.** ~~and is not acceptable.~~ For purposes of this policy, "electronic communication devices" include cell phones, beepers, pagers, walkie-talkies, and any other telecommunications device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor.

~~Students may carry electronic communication devices but these devices must be turned off inside school buildings, on school buses, at school-sponsored activities and on field trips. In these locations, electronic communication devices may be used only during emergencies. For purposes of this policy, "emergency" shall mean an actual or imminent threat to public health or safety, which may result in loss of life, injury or property damage.~~

~~Electronic communication devices with cameras are prohibited in locker rooms, bathrooms, or other locations where such operation may violate the privacy rights of another person.~~

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

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

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

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

Violation of this policy **or any other district, school or classroom rule or regulation on student use of PTDs may** ~~and/or use that violates any other district policy shall result in disciplinary measures and/or temporary~~ **confiscation of the PTD electronic communication device.** Confiscated devices shall be returned to the student only after a conference with the parent/guardian, student and school personnel. ~~If the building principal or designee believes a student's possession or use of a PTD may involve a violation of the law, the building principal or designee may also refer the matter to law enforcement, as appropriate.~~

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

(Adoption date)

LEGAL REF.: C.R.S. 18-7-109 (*posting, possession or exchange of a private image by a juvenile*)

CROSS REFS.: JIC and subcodes, Student Conduct
JIH, Student Interviews, Interrogations, Searches and Arrests
JK and subcodes, Student Discipline
JS*, Student Use of the Internet and Electronic Communications

Revised Sample Policy

File: JK

NOTE: Colorado school boards are required by law to adopt a policy on this subject and the law contains some specific direction as to the policy content or language. This sample policy contains the policy content/language that CASB believes best meets the intent of the law. However, the board should consult with its own legal counsel to determine appropriate policy language that meets local circumstances and needs.

Student Discipline

The Board believes that effective student discipline is a prerequisite for sound educational practice and productive learning. The objectives of disciplining any student must be to help the student develop a positive attitude toward self-discipline and socially acceptable behavior. All policies and procedures for handling ~~general and major~~ student discipline problems shall be designed to achieve these broad objectives. ~~Disorderly students shall be dealt with in a manner which allows other students to learn in an atmosphere which is safe, conducive to the learning process and free from unnecessary disruptions.~~

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

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

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

Immunity for enforcement of discipline code

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

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

Remedial discipline plans

The principal may develop a remedial discipline plan for any student who causes a material and substantial disruption in the classroom, on school grounds, in school vehicles or at school activities or events. The goal of the remedial discipline plan

shall be to address the student's disruptive behavior and educational needs while keeping the child in school.

Discipline of habitually disruptive students

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

Distribution of conduct and discipline code

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

(Adoption date)

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

CROSS REFS.: ~~GBG, Liability of School Personnel/Staff Protection~~
JIC, Student Conduct, and subcodes
JK subcodes, (all relate to student discipline)

[Revised June 2017 August 2014]
COLORADO SAMPLE POLICY 1996©

Revised Sample Regulation

File: JKA-R

NOTE: Colorado school districts are required by law to adopt a policy and procedures for the use of reasonable and appropriate physical intervention and the law contains some specific direction as to the content or language. 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.

Use of Physical Intervention and Restraint

A. Definitions

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

1. “Restraint” means any method or device used to involuntarily limit freedom of movement, including but not limited to bodily physical force, ~~mechanical devices, chemicals and seclusion.~~
2. “Physical restraint” means the use of bodily, physical force to involuntarily limit an individual’s freedom of movement. “Physical restraint” does not include:
 - a. holding of a student for less than five minutes by a staff person for the protection of the student or others;
 - b. brief holding of a student by one adult for the purpose of calming or comforting the student;
 - c. minimal physical contact for the purpose of safely escorting a student from one area to another;
 - d. minimal physical contact for the purpose of assisting the student in completing a task or response.
3. “Mechanical restraint” means a physical device used to involuntarily restrict the movement of a student or the movement or normal function of the student’s body. “Mechanical restraint” does not include:
 - a. devices recommended by a physician, occupational therapist or physical therapist and agreed to by a student’s IEP team or Section 504 team and used in accordance with the student’s Individualized Education Program (IEP) or Section 504 plan;
 - b. protective devices such as helmets, mitts, and similar devices used to prevent self-injury and in accordance with a student’s IEP or Section 504 plan;
 - c. adaptive devices to facilitate instruction or therapy and used as recommended by an occupational therapist or physical therapist, and consistent with a student’s IEP or Section 504 plan; or

- d. positioning or securing devices used to allow treatment of a student's medical needs.
- 4. "Chemical restraint" means administering medication to a student (including medications prescribed by the student's physician) on an as needed basis for the sole purpose of involuntarily limiting the student's freedom of movement. "Chemical restraint" does not include:
 - a. prescription medication that is regularly administered to the student for medical reasons other than to restrain the student's freedom of movement (e.g. Asthma-cort, medications used to treat mood disorders or ADHD, Glucagon); or
 - b. the administration of medication for voluntary or life-saving medical procedures (e.g. EpiPens, Diastat).
- 5. **"Prone restraint" means a restraint in which the student being restrained is secured in a prone (i.e., face-down) position.**
- ~~5.6.~~ "Seclusion" means the placement of a student alone in a room from which egress is involuntarily prevented. "Seclusion" does not mean:
 - a. placement of a student in residential services in the student's room for the night; or
 - b. time-out.
- ~~6.7.~~ "Time-out" is the removal of a student from potentially rewarding people or situations. A time-out is not used primarily to confine the student, but to limit accessibility to reinforcement. In time-out, the student is not physically prevented from leaving the designated time-out area and is effectively monitored by staff.
- ~~7.8.~~ "Emergency" means serious, probable, imminent threat of bodily injury to self or others with the present ability to effect such bodily injury. Emergency includes situations in which the student creates such a threat by abusing or destroying property.
- ~~8.9.~~ "Bodily injury" means physical pain, illness or any impairment of physical or mental condition as defined in C.R.S. 18-1-901 (3)(c).
- ~~9.10.~~ "State Board Rules" mean the State Board of Education rules governing the Administration of the Protection of Persons from Restraint Act, 1 CCR 301-45.
- ~~10.11.~~ "Parent" shall be as defined by the State Board rules.

B. Basis for use of restraint

Restraints shall only be used:

- 1. In an emergency and with extreme caution; and
- 2. After:

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

C. Duties related to the use of restraint – general requirements

When restraints are used, the district shall ensure that:

1. no restraint is administered in such a way that the student is inhibited or impeded from breathing or communicating;
2. no restraint is administered in such a way that places excess pressure on the student's chest, back, or causes positional asphyxia;
3. restraints are only administered by district staff who have received training in accordance with the State Board rules;
4. opportunities to have the restraint removed are provided to the student who indicates he/she is willing to cease the violent or dangerous behavior;
5. when it is determined by trained district staff that the restraint is no longer necessary to protect the student or others (i.e. the emergency no longer exists), the restraint shall be removed; and
6. the student is reasonably monitored to ensure the student's physical safety.

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

D. Proper administration of specific restraints

1. Chemical restraints shall not be used.
2. Mechanical **and prone** restraints shall not be used, except **in the limited circumstances permitted by state law and described as exceptions in the accompanying policy.** ~~that this provision shall not apply to armed security officers who have received documented training in defensive~~

~~tactics utilizing handcuffing procedures and are detaining the student for law enforcement.~~

3. Physical restraint
 - a. A person administering the physical restraint shall only use the amount of force necessary to stop the dangerous or violent actions of the student.
 - b. A restrained student shall be continuously monitored to ensure that the breathing of the student in such physical restraint is not compromised.
 - c. A student shall be released from physical restraint within fifteen minutes after the initiation of the restraint, except when precluded for safety reasons.
4. Seclusion
 - a. Relief periods from seclusion shall be provided for reasonable access to toilet facilities.
 - b. Any space in which a student is secluded shall have adequate lighting, ventilation and size.
 - c. To the extent possible under the specific circumstances, the space should be free of injurious items.

E. Notification requirements

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

F. Documentation requirements

1. If restraints are used, a written report shall be submitted within one school day to school administration.
2. The school principal or designee shall verbally notify the parents as soon as possible but no later than the end of the school day that the restraint was used.
3. A written report based on the findings of the staff review required by paragraph G. below shall be emailed, faxed or mailed to the student's

parent within five calendar days of the use of restraint. The written report of the use of restraint shall include:

- a. the antecedent to the student's behavior if known;
 - b. a description of the incident;
 - c. efforts made to de-escalate the situation;
 - d. alternatives that were attempted;
 - e. the type and duration of the restraint used;
 - f. injuries that occurred, if any; and
 - g. the staff present and staff involved in administering the restraint.
4. A copy of the written report on the use of restraint shall be placed in the student's confidential file.

G. Review of specific incidents of restraint

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

H. General review process

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

- d. environmental conditions, including physical space, student seating arrangements and noise levels.

I. Staff training

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

(Adoption date)

Revised Sample Policy

File: JKA

NOTE: Colorado school districts are required by law to adopt a policy and procedures for the use of reasonable and appropriate physical intervention and the law contains some specific direction as to the content or language. 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.

Use of Physical Intervention and Restraint

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

Physical intervention

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

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

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

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

Restraint

For purposes of this policy and accompanying regulation, Restraint is defined by state law and this policy as any method or device used to involuntarily limit a student's freedom of movement, including but not limited to bodily physical force, mechanical devices, chemicals and seclusion. Restraint shall not include the holding

of a student for less than five minutes by a district employee for the protection of the student or others and other actions excluded from the definition of restraint in state law.

District employees shall not use restraint as a punitive form of discipline or as a threat to control or gain compliance of a student's behavior. District employees are also prohibited from restraining a student by use of a **prone restraint**, mechanical restraint or chemical restraint, as those terms are defined by applicable **state law** ~~State Board of Education rules~~ and this policy's accompanying regulation.

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

Exceptions

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

1. **Certified peace officers or armed security officers working in a school and who meet the legal requirements of C.R.S. 26-20-111 (3)** ~~as defined by C.R.S. 16-2.5-101 et seq. who are acting within the scope of their employment or in accordance with C.R.S. 16-3-109; and~~
2. When the **student is openly displaying a deadly weapon, as defined in C.R.S. 18-1-901 (3)(e)** ~~district is engaged in transporting a student from one facility or location to another facility or location when it is within the scope of the district's powers and authority to effect such transportation.~~

NOTE: Information concerning the district's policies for the use of restraint and seclusion on students and information concerning the process for filing a complaint regarding the use of restraint and seclusion, as set forth by rules of the State Board of Education, must be included in the student conduct and discipline code distributed to students. C.R.S. 22-32-109.1 (2)(a)(I)(L).

(Adoption date)

LEGAL REFS.: C.R.S. 18-1-703 (*use of physical force by those supervising minors*)
C.R.S. 18-1-901 (3)(e) (definition of a deadly weapon)
C.R.S. 18-6-401 (1) (*definition of child abuse*)
C.R.S. 19-1-103 (1) (*definition of abuse and neglect*)
C.R.S. 22-32-109.1 (2)(a) (*adoption and enforcement of discipline code*)
C.R.S. 22-32-109.1 (2)(a)(I)(D) (*policy required as part of safe schools plan*)
C.R.S. 22-32-109.1 (2)(a)(I)(L) (policies for use of restraint and seclusion on students and information on the process for filing a complaint regarding the use of restraint or seclusion shall be included in student conduct and discipline code)
C.R.S. 22-32-109.1 (9) (*immunity provisions in safe schools law*)
C.R.S. 22-32-147 (use of restraints on students)
C.R.S. 26-20-101 et seq. (*Protection of Persons from Restraint Act*)

1 CCR 301-45 (*State Board of Education rules for the Administration of the Protection of Persons from Restraint Act*)

Revised Sample Regulation

File: JKD/JKE-R

NOTE: Colorado school districts are required by law to adopt a regulation on this subject and the law contains some specific direction as to the content or language. 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.

Suspension/Expulsion of Students (Hearing Procedures)

A. Procedure for suspension of 10 days or less

Through written policy the Board of Education has delegated to any school principal the power to suspend a student for not more than five or 10 days, depending upon the type of infraction. Pursuant to policy JKD/JKE, the superintendent has been delegated the power to suspend a student for additional periods of time. However, the total period of suspension will not exceed 25 school days. As a general rule, a suspension will be 10 days or less.

The following procedures shall be followed in any suspension, unless the student is suspended pending an expulsion proceeding, in which case the expulsion procedures shall apply.

~~When the term "parent/guardian" is used, it refers to the parent/guardian of students under 18 years of age; if the student is 18 years or older, it refers to the student. All references to parent/guardian are intended to also include legal custodian.~~

1. **Notice.** The principal, designee or the superintendent at the time of contemplated action will give the student and the parent/guardian notice of the contemplated action. Such notice may be oral or in writing. If oral, such notice will be given in person. If written, delivery may be by United States mail addressed to the last known address of the student or student's parent/guardian.
2. **Contents of notice.** The notice will contain the following basic information:
 - a. A statement of the charges against the student.
 - b. A statement of what the student is accused of doing.
 - c. A statement of the basis of the allegation. Specific names may be withheld if necessary.

This information need not be set out formally but should sufficiently inform the student and parent/guardian of the basis for the contemplated action.

3. **Informal hearing.** In an informal setting, the student will be given an opportunity to admit or deny the accusation and to give his or her version of the events. The administrator may allow the student to call witnesses or may personally call the accuser or other witnesses. The administrator may hold a more extensive hearing in order to gather relevant information prior to making a decision on the contemplated action.
4. **Timing.** The notice and informal hearing should precede removal of the student from school. There need be no delay between the time notice is given and the time of the informal hearing.
5. **If the student's presence in school presents a danger.** Notice and an informal hearing need not be given prior to removal from school where a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process. In this case, an informal hearing will follow as soon after the student's removal as practicable.
6. **Notification following suspension.** If a student is suspended the administrator delegated the authority to suspend will immediately notify the parent/guardian that the student has been suspended, the grounds for such suspension and the period of such suspension. The notification will include the time and place for the parent/guardian to meet with the administrator to review the suspension.
7. **Removal from school grounds.** A suspended student must leave the school building and the school grounds immediately after the parent/guardian and administrator have determined the best way to transfer custody of the student to the parent/guardian.
8. **Readmittance.** No student will be readmitted to school until the meeting with the parent/guardian has taken place or until, in the opinion of the administrator, the parent/guardian has substantially agreed to review the suspension with the administrator. However, if the administrator cannot contact the parent/guardian or if the parent/guardian repeatedly fails to appear for scheduled meetings, the administrator may readmit the student. The meeting will address whether there is a need to develop a remedial discipline plan for the student in an effort to prevent further disciplinary action.
9. **Make-up work.** Suspended students will be provided an opportunity to make up school work during the period of suspension, so the student is able to reintegrate into the educational program of the district following the period of suspension. Students will receive full or partial academic credit to the extent possible for makeup work which is completed satisfactorily.

Note: In determining whether to provide full or partial credit, pursuant to state law, the goal is to reintegrate the student back into the classroom and help prevent the student from dropping out.

B. Procedure for expulsion or denial of admission

In the event the Board of Education contemplates action denying admission to any student or prospective student or expelling any student, the following procedures shall be followed:

1. **Notice.** Not less than _____ days prior to the date of the contemplated action, the Board of Education or an appropriate administrative officer of the district will cause written notice of such proposed action to be delivered to the student and the student's parent/guardian. Such delivery may be by United States mail addressed to the last known address of the student or the student's parent/guardian.
2. **Emergency notice.** In the event it is determined that an emergency exists necessitating a shorter period of notice, the period of notice may be shortened provided that the student or the student's parent/guardian have actual notice of the hearing prior to the time it is held.
3. **Contents of notice.** The notice will contain the following basic information:
 - a. A statement of the basic reasons alleged for the contemplated denial of admission or expulsion.
 - b. A statement that a hearing on the question of expulsion or denial of admission will be held if requested by the student or parent/guardian within _____ days after the date of the notice.
 - c. A statement of the date, time and place of the hearing in the event one is requested.
 - d. A statement that the student may be present at the hearing and hear all information against him or her, that the student will have an opportunity to present such information as is relevant and that the student may be accompanied and represented by a parent/guardian and an attorney.
 - e. A statement that failure to participate in such hearing constitutes a waiver of further rights in the matter.

Choose one of the following three options to match the option chosen in the accompanying policy. If the superintendent has been delegated the authority to deny admission to and expel students, use the following option.

4. **Conduct of hearing.** A hearing may be requested by the parent/guardian. Such hearing will be conducted by the superintendent. The hearing may be conducted in open session or may be closed except to those individuals deemed advisable by the superintendent but including in all events the student, the parent/guardian and, if requested, the student's attorney. Such individuals as may have pertinent information will be admitted to a closed hearing to the extent necessary to provide such information.

Testimony and information may be presented under oath. However, technical rules of evidence will not be applicable, and the superintendent may consider and give appropriate weight to such information or evidence he or she deems appropriate. The student's written statement, if any, may be presented as evidence in accordance with applicable law. The student or representative may question individuals presenting information.

A sufficient record of the proceedings shall be kept so as to enable a transcript to be prepared in the event either party so requests. Preparation of the transcript will be at the expense of the party requesting the same.

The superintendent will prepare specific factual findings and issue a written decision within five days after the hearing.

5. **Appeal.** Within 10 days after the decision of the superintendent, the student may appeal the decision to the Board. Failure to request an appeal within 10 days will result in a waiver of the right to appeal and the superintendent's decision will become final.

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| <p><i>NOTE: At its sole discretion, the Board may grant an appeal hearing for requests made more than 10 days after the denial. C.R.S. 22-33-105 (2)(c).</i></p> |
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If an appeal is properly requested, the Board will review the record concerning the expulsion or denial of admission. The record includes notices and other documents concerning the challenged action, the transcript of the testimony, if any, the hearing exhibits, the findings and recommendation of the superintendent, the superintendent's written decision, and other documents concerning the challenged action. The student may be represented by counsel at the appeal. Representatives of the district and the parents may make brief statements to the Board, but no new evidence may be presented unless such evidence was not reasonably discoverable at the time of the hearing. Members of the Board may ask questions for purposes of clarification of the record.

The Board will make final determination regarding the expulsion or denial of admission of the student and will inform the student and his parent/guardian of the right to judicial review.

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

If a student is expelled and is not receiving educational services through the district, the school district shall contact the expelled student's parent/guardian at least once every 60 days until the student is eligible to re-enroll to determine whether the child is receiving educational services.

District personnel need not contact the parent/guardian after the student is enrolled in another school district or in an independent or parochial school, or if the student is committed to the department of human services or sentenced through the juvenile justice system.

7. **Readmittance.** A student who has been expelled shall be prohibited from enrolling or re-enrolling in the same school in which the victim of the offense or member of the victim's immediate family is enrolled or employed when:
 - a. the expelled student was convicted of a crime, adjudicated a juvenile delinquent, received a deferred judgment or was placed in a diversion program as a result of committing the offense for which the student was expelled;
 - b. there is an identifiable victim of the expelled student's offense; and
 - c. the offense for which the student was expelled does not constitute a crime against property.

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

No student will be readmitted to school until after a meeting between the principal or designee and the parent/guardian has taken place except that if the administrator cannot contact the parent/guardian or if the parent/guardian repeatedly fails to appear for scheduled meetings, the administrator may readmit the student.

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| <p><i>If the Board has delegated the authority to conduct expulsion and denial of admission hearings to a hearing officer other than the superintendent, use the following option.</i></p> |
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4. **Conduct of hearing.** A hearing may be requested by the parent/guardian. Such hearing will be conducted by a hearing officer. The hearing may be conducted in open session or may be closed except to those individuals deemed advisable by the hearing officer but including in all events the student, the parent/guardian and, if requested, the student's attorney. Such individuals as may have pertinent information will be admitted to a closed hearing to the extent necessary to provide such information.

Testimony and information may be presented under oath. However, technical rules of evidence will not be applicable, and the hearing officer may consider and give appropriate weight to such information or evidence he deems appropriate. The student's written statement, if any, may be presented as evidence in accordance with applicable law. The student or representative may question individuals presenting information.

A sufficient record of the proceedings shall be kept so as to enable a transcript to be prepared in the event either party so requests. Preparation of the transcript will be at the expense of the party requesting the same.

The hearing officer will make specific factual findings and submit those findings and a recommendation regarding expulsion or denial of admission to the superintendent. The superintendent will review the hearing officer's factual findings and recommendation and issue a written decision within five days of the hearing.

5. **Appeal.** Within 10 days after the decision of the superintendent, the student may appeal the decision to the Board. Failure to request an appeal within 10 days will result in a waiver of the right to appeal and the superintendent's decision will become final.

NOTE: At its sole discretion, the Board may grant an appeal hearing for requests made more than 10 days after the denial. C.R.S. 22-33-105 (2)(c).

If an appeal is properly requested, the Board will review the record concerning the expulsion or denial of admission. The record includes notices and other documents concerning the challenged action, the transcript of the testimony, if any, the hearing exhibits, the findings and recommendation of the hearing officer, the hearing officer's written decision, and other documents concerning the challenged action. The student may be represented by counsel at the appeal. Representatives of the district and the parents may make brief statements to the Board, but no new evidence may be presented unless such evidence was not reasonably discoverable at the time of the hearing. Members of the Board may ask questions for purposes of clarification of the record.

The Board will make final determination regarding the expulsion of or denial of admission to the student and will inform the student and his parent/guardian of the right to judicial review.

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

If a student is expelled and is not receiving educational services through the district, the school district shall contact the expelled student's parent/guardian at least once every 60 days until the student is eligible to re-enroll to determine whether the child is receiving educational services. District personnel need not contact the parent/guardian after the student is enrolled in another school district or in an independent or parochial school, or if the student is committed to the department of human services or sentenced through the juvenile justice system.

7. **Readmittance.** A student who has been expelled shall be prohibited from enrolling or re-enrolling in the same school in which the victim of the offense or member of the victim's immediate family is enrolled or employed when:

- a. the expelled student was convicted of a crime, adjudicated a juvenile delinquent, received a deferred judgment or was placed in a diversion program as a result of committing the offense for which the student was expelled;
- b. there is an identifiable victim of the expelled student's offense; and
- c. the offense for which the student was expelled does not constitute a crime against property.

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

No student will be readmitted to school until after a meeting between the principal or designee and the parent/guardian has taken place except that if the administrator cannot contact the parent/guardian or if the parent/guardian repeatedly fails to appear for scheduled meetings, the administrator may readmit the student.

If the Board retains the authority to expel or deny admission to a student, use the following option.

4. **Conduct of hearing.** A hearing may be requested by the parent/guardian. Such hearing will be conducted by the Board of Education. The hearing may be conducted in open session or may be closed except to those individuals deemed advisable by the Board president but including in all events the student, the parent/guardian and, if requested, the student's attorney. Such individuals as may have pertinent information will be admitted to a closed hearing to the extent necessary to provide such information.

Testimony and information may be presented under oath. However, technical rules of evidence will not be applicable, and the Board may consider and give appropriate weight to such information or evidence it deems appropriate. The student's written statement, if any, may be presented as evidence in accordance with applicable law. The student or representative may question individuals presenting information.

A sufficient record of the proceedings shall be kept so as to enable a transcript to be prepared in the event either party so requests. Preparation of the transcript will be at the expense of the party requesting the same.

The Board of Education may retire to executive session to review and discuss the evidence. However, the final decision will be made in public session. The Board will inform the student and the student's parent/guardian of the right to judicial review.

5. **Information to parents.** Upon expelling a student, district personnel shall provide information to the student's parent/guardian concerning the educational alternatives available to the student during the period of expulsion, including the right of a parent/guardian to request that the

district provide services during the expulsion. If the parent or guardian chooses to provide a home-based education program for the student, district personnel will assist the parent/guardian in obtaining appropriate curricula for the student if requested by the parent/guardian.

If a student is expelled and is not receiving educational services through the district, the school district shall contact the expelled student's parent/guardian at least once every 60 days until the student is eligible to re-enroll to determine whether the child is receiving educational services. District personnel need not contact the parent/guardian after the student is enrolled in another school district or in an independent or parochial school, or if the student is committed to the department of human services or sentenced through the juvenile justice system.

6. **Readmittance.** A student who has been expelled shall be prohibited from enrolling or re-enrolling in the same school in which the victim of the offense or member of the victim's immediate family is enrolled or employed when:
 - a. the expelled student was convicted of a crime, adjudicated a juvenile delinquent, received a deferred judgment or was placed in a diversion program as a result of committing the offense for which the student was expelled;
 - b. there is an identifiable victim of the expelled student's offense; and
 - c. the offense for which the student was expelled does not constitute a crime against property.

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

No student will be readmitted to school until after a meeting between the principal or designee and the parent/guardian has taken place except that if the administrator cannot contact the parent/guardian or if the parent/guardian repeatedly fails to appear for scheduled meetings, the administrator may readmit the student.

End of options.

C. Procedure for crimes of violence or unlawful sexual behavior

The following procedures will apply when the district receives notification that a student has been charged in juvenile or district court with a crime of violence or unlawful sexual behavior, as those terms are defined by state law.

1. The Board or its designee will make a preliminary determination whether it will proceed with an expulsion hearing, based on the following factors:
 - a. Whether the student has exhibited behavior that is detrimental to the safety, welfare and morals of other students or school personnel.

- b. Whether educating the student in school may disrupt the learning environment, provide a negative example for other students or create a dangerous and unsafe environment for students, teachers and other school personnel.
2. If it is determined that the student should not be educated in the schools of the district, the district may suspend or expel the student, in accordance with the procedures set forth above.
3. Alternatively, suspension or expulsion proceedings may be postponed, pending the outcome of the court proceedings. If the suspension or expulsion proceedings are postponed, the student will not be permitted to return to school during that period. An appropriate alternative education program, including but not limited to, an online program authorized by state law or a home-based education program will be established for the student during the period pending the resolution of the juvenile proceedings. The time that a student spends in an alternative education program will not be considered a period of suspension or expulsion.
4. If the student pleads guilty to the charge, is found guilty or is adjudicated a delinquent juvenile, the Board or designee may proceed to suspend or expel the student following the procedures set forth in these regulations.
5. Information regarding the details of the alleged crime of violence or unlawful sexual behavior will be used by the Board or its designee for the purposes set forth in this policy, but shall remain confidential unless the information is otherwise available to the public by law.

(Adoption date)

*NOTE: Regulations on student suspension or expulsion need Board approval. CASB suggests five to ten days as suitable for the time periods left blank in B-1, B-3-b. **State law Beginning July 1, 2012, C.R.S. 22-33-105 (2)(c)** requires a Board that delegates the authority to expel or deny admission to the superintendent or hearing officer to hear appeals made within ten days and allows the Board discretion for appeals made later. **C.R.S. 22-33-105 (2)(c)**.*

Revised Sample Regulation

File: JK-R

NOTE: Colorado school boards are required by law to adopt a regulation on this subject and the law contains some specific direction as to the content or language. This sample contains the content/language that CASB believes best meets the intent of the law. However, the board should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Student Discipline

Remedial discipline plans

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

Habitually disruptive students

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

1. The principal will inform the superintendent when a student causes a second material and substantial disruption.
2. The student and the **student's** parent/guardian will be notified in writing of each disruption which counts toward declaring the student habitually disruptive. The

student and parent/guardian will also be notified in writing and by telephone or other oral communication of the definition of “habitually disruptive student.”

3. A student who has been declared habitually disruptive shall be suspended and/or expelled in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

(Adoption date)

Revised Sample Policy

File: JQ

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 Fees, Fines and Charges

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

All student fees and charges shall be adopted by the Board. The fees shall remain in place until modified or removed by Board resolution. All student fees adopted by the Board shall be used for the purposes set forth in the motion and shall not be spent for any other purpose.

When publicizing any information concerning any fee authorized to be collected by this policy, the school shall specify whether the fee is voluntary or mandatory and the specific activity from which the student will be excluded if the fee is not paid.

Among the fees which the Board may authorize are the following:

Textbooks, ~~and library resources~~ and other school property

Textbooks shall be provided on a loan basis. Students may be asked to pay a nonrefundable rental fee reasonably related to the actual cost of some or all of the textbooks provided for the student. The rental fee and corresponding depreciation schedule shall be adopted by the Board prior to the textbook's introduction into the classroom. No rental fee will be assessed for textbooks and workbooks used in the classroom for reference.

[Choose one of the following two paragraphs]

Students may be assessed a loss or damage deposit prior to use of textbooks, ~~and library resources~~ **and other school property** provided by the district. This deposit shall be refundable, subject to any applicable fines or related charges. The fines will be for the amount of the loss. In computing a fine, 20 percent of the original cost of a book, ~~or resource~~ **or other school property** will be deducted for each year it has been used.

-or-

It is expected that students shall return textbooks, ~~and~~ library resources **and other school property** to the school in good condition except for ordinary wear. Students shall be assessed fines for lost, damaged or defaced books (including those checked out from the library), materials or equipment. The fines will be for the amount of the loss. In computing a fine, 20 percent of the original cost of a book, ~~or~~ library resource **or other school property** will be deducted for each year it has been used.

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

A student shall not be refused use of textbooks based on failure to pay the required fees.

Fees for expendable supplies and materials

Teachers shall determine a basic course for each class which can be completed with materials furnished by the school. However students may be charged a fee for expendable supplies and materials used in the course. Fees for expendable supplies and materials shall relate directly to the actual cost of providing these materials to the student. Students shall be required to pay for materials that go into shop, crafts or art projects that are above the basic requirements for the course and are to be retained by the student.

Miscellaneous fees

Students may be asked to pay miscellaneous fees and expenses on a voluntary basis as a condition of attending, participating in, or obtaining materials/clothing/equipment used in a school-sponsored activity or program not within the academic portion of the educational program.

Rental fees for the use of items such as choral robes, band uniforms and school-owned instruments shall be approved by the Board upon the recommendation of the superintendent.

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

The district may impose and collect a fee for the payment of excess transportation costs in accordance with state law. Only those students who use the district's transportation services shall be required to pay any transportation fee.

Waiver of fees

All fees, fines and charges for textbooks and expendable supplies and materials required for classes within the academic portion of the educational program and any transportation fee shall be waived for indigent students. For purposes of determining if a student is able to pay, an indigent student is defined as any child who is eligible for a free or reduced price lunch under the federal poverty income guidelines.

All fees for textbooks, expendable supplies and materials, and miscellaneous fees shall be waived for students in out-of-home placements, as that term is defined by C.R.S. 22-32-138 (1)(e).

Fee schedule

The district shall prepare and make available upon request a complete list of student fees, describing how the amount of each fee was derived and the purpose of each fee.

Parents shall be informed on the fee schedule or otherwise regarding how to apply for a waiver of fees, whether fees are voluntary or mandatory and the specific activity from which the student will be excluded if the fee is not paid. Students qualifying for a fee waiver will receive it without unnecessary embarrassment or public exposure of their need.

(Adoption date)

- LEGAL REFS.: C.R.S. 22-32-109 (1)(u) (*free textbooks to indigent students w/o loss/damage deposit*)
C.R.S. 22-32-110 (1)(o) (*textbooks for free or reasonable rental fee*)
C.R.S. 22-32-110 (1)(jj) (**board power to assess fines or fees for the return or replacement of ~~sanctions for failing to return textbooks, and library resources~~ or other school property**)
C.R.S. 22-32-113 (5) (*transportation of pupils and imposition of fee for excess transportation costs*)
C.R.S. 22-32-117 (*fees*)
C.R.S. 22-32-118 (*summer school fees*)
C.R.S. 22-32-138 (7) (*waiver of fees for students in out-of-home placements*)
C.R.S. 22-45-104 (*disposition of moneys collected from fines and fees*)

- CROSS REFS.: EEA, Student Transportation
EFC, Free and Reduced-Price Food Services
JF-R, Admission and Denial of Admission (Procedures for Students in Out-of-Home Placements)
JJJ, Extracurricular Activity Eligibility

NOTE: State law prohibits districts from withholding student records for enrollment in another school or institution of higher education and from withholding a student's diploma, transcript or grades when a student fails to pay an assessed fine or fee or fails to return or replace textbooks, library resources or other school property at the completion of any semester or school year. C.R.S. 22-32-110 (1)(jj).

New Sample Regulation

File: GBEB-R

NOTE: While Colorado school districts are not required by law to adopt a regulation on this subject, CASB believes this sample contains the content/language that reflects "best practices" and may help to protect the district from liability. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Staff Conduct (And Responsibilities)

Professional boundaries with students

In a professional staff/student relationship, staff members maintain boundaries with students that are consistent with their professional code of conduct and obligations. All district employees are expected to observe and maintain proper professional boundaries, in accordance with this regulation and accompanying policy.

The following list provides examples of staff conduct that, in the absence of evidence of a legitimate educational purpose or other reason deemed valid by the district, may be regarded as evidence that a staff member has violated professional boundaries with a student:

- any type of inappropriate physical contact with a student or any other conduct that might be considered harassment under Board policy
- furnishing alcohol, drugs or tobacco to a student or being present when any student is consuming these substances
- repeating sexual or inappropriate romantic rumors
- accepting massages, or offering or giving massages other than in the course of injury care administered by the appropriate athletic trainer, coach or health care provider
- singling out a particular student or students for personal attention or friendship beyond the ordinary professional staff-student relationship
- being alone with a student behind closed doors
- initiating or extending contact with a student beyond the school day or outside of class times for the staff member's personal purposes
- sending or accompanying a student on personal errands
- inviting a student to a staff member's home without appropriate chaperones
- going to a student's home when the student's parent/guardian or an appropriate chaperone is not present
- giving a student a ride in a vehicle without prior notification to and approval from both the student's parent/guardian and the building principal, except in an emergency under appropriate circumstances
- giving gifts or money to the student
- any other action or activity similar in nature to those listed above

Prohibited communications in any format (email, text messaging, written communications, in person, etc.) by a staff member with a student includes, but is not limited to the following:

- any communications without a legitimate educational reason
- flirting, propositions or sexual remarks
- sexual slurs, leering, sexual or derogatory comments
- inappropriate comments about a student's body
- sexual jokes, notes, stories, drawings, gestures or pictures
- displaying or transmitting sexual pictures, objects or depictions
- disclosing personal, sexual, romantic, marital or employment issues or other private matters
- other communications or activities similar in nature to those listed above

Reporting violations and disciplinary action

Staff members shall promptly notify the principal or superintendent if they become aware of a situation that may constitute a violation of this regulation. Depending on the specific circumstances of the allegations or suspicions, staff members may have a mandatory duty under state law to report the violation(s) as child abuse, in accordance with applicable Board policy.

Students and their parents/guardians should notify the principal or superintendent if they believe a teacher or other staff member may be engaging in conduct that violates this regulation.

In determining whether a violation of professional boundaries has occurred, the district shall consider the totality of the circumstances, including the nature and extent of the conduct involved, the job description and duties of the employee, the employee's intent or purpose in engaging in the conduct, and whether the conduct caused harm to the student or adversely affected the education of students.

Persons reporting in good faith regarding alleged violations or suspected violations of this regulation shall not be subjected to retaliation in any form.

(Approval date)

New Sample Policy

File: ECAF

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.

This sample policy is for districts that have installed video cameras in schools, other district buildings and school transportation vehicles. If the board adopts this sample, it does not need to adopt sample policy EEAEF, Video Cameras on Transportation Vehicles.*

Use of Video and Audio Monitoring

The Board of Education recognizes that maintaining the safety and security of students, staff and district property is best implemented with a multifaceted approach. To the extent modern technology provides tools to maintain safety and security, the use of technology such as video surveillance cameras is supported by the Board.

Video surveillance may be utilized in and around schools, on district property and on school transportation vehicles. Cameras may be equipped with audio recording capabilities as well. Video surveillance shall be in accordance with applicable law pertaining to such use. The district also shall comply with applicable law related to maintaining video recordings.

The superintendent or designee is directed to develop regulations governing the use of video surveillance in accordance with applicable law and Board policy.

Exclusions

Recording of teacher instruction for purposes of completing a licensed personnel performance evaluation is not intended to be covered by this policy and shall not be permitted except as provided by state law. Recording of students for purposes of their educational programming is also not intended to be covered by this policy.

(Adoption date)

LEGAL REFS.: 20 U.S.C. §1232g (*Family Educational Rights and Privacy Act of 1974*)
34 C.F.R. §99.1 *et seq.* (*FERPA regulations*)
C.R.S. 24-72-113 (*limit on retention of passive surveillance records*)

CROSS REFS.: GBEB, Staff Conduct (And Responsibilities)
JIC, Student Conduct, and subcodes
JK, Student Discipline, and subcodes
JRA/JRC, Student Records/Release of Information on Students

COLORADO SAMPLE POLICY 2017©

New Sample Regulation

File: ECAF-R

NOTE: While Colorado school districts are not required by law to adopt a regulation 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.

This sample regulation is for districts that have installed video cameras in schools, other district buildings and school transportation vehicles. If the district adopts this sample, it does not need to adopt sample regulation EEAEF-R, Video Cameras on Transportation Vehicles.*

Use of Video and Audio Monitoring

Placement and notification

1. Video surveillance equipment may be installed in and around schools, district buildings and school transportation vehicles where there is a legitimate need for video surveillance, as approved by the superintendent or designee.
2. Equipment will not be used or installed in areas where the public, students and/or staff have a reasonable expectation of privacy, such as locker rooms and restrooms.
3. Video recording equipment may be in operation 24 hours per day on a year-round basis at any and all times, whether or not school is in session and whether or not the facilities or buildings are in use.
4. Video surveillance equipment shall not be located in an administrative office or in the school's or district's central security office.
5. Video monitors shall not be located in an area that enables public viewing.
6. Conduct and comments in publicly accessible places on district property (e.g. school hallways, buses, athletic facilities, etc.) may be recorded by video and audio devices.
7. The district shall notify students, staff and the public that video surveillance systems are present. Such notification will be included in staff and student handbooks and signs will be prominently displayed in appropriate locations throughout the district.
8. Specific notification will not be provided when a recording device has been installed or is being utilized in a school vehicle or building.

Use

1. The use of video surveillance equipment on school grounds shall be supervised and controlled by the [building principal or designee]. The use of video surveillance equipment on school vehicles shall be supervised and controlled by the [transportation supervisor]. The use of video surveillance equipment at sites other than schools or school vehicles will be supervised and controlled by the [superintendent or designee].
2. Staff and students are prohibited from unauthorized use, tampering with or otherwise interfering with video recordings and/or video camera equipment. Violations will be subject to appropriate disciplinary action. Disciplinary action shall be consistent with applicable Board policies and regulations and may include, but not be limited to, written reprimand, suspension, demotion or dismissal for staff and suspension and/or expulsion for students, depending upon the nature and severity of the situation.
3. The superintendent or designee will review the use and operations of the video surveillance system with each school on a periodic basis.
4. Video recordings may be used as evidence that a student, staff member or other person has engaged in behavior that violates state law, Board policies and/or school rules.

Storage/security

1. The district shall provide reasonable safeguards including, but not limited to, password protection, well-managed firewalls and controlled physical access to protect the video surveillance system from hackers, unauthorized users and unauthorized use.
2. Video recordings will be stored for a minimum of ___ school days after the initial recording. If the designated district administrator and/or designee know no reason for continued storage, such recordings will be erased.
3. Video recordings held for review will be maintained in their original form pending resolution of the incident. Recording media will then be released for erasure, copied for authorized law enforcement agencies or retained in accordance with applicable law and Board policy.
4. To ensure confidentiality, all video storage devices that are not in use will be stored securely in a locked receptacle located in a controlled access area. All storage devices that have been used will be numbered and dated. Access to the storage devices will be limited to authorized district personnel.
5. Video recordings held by the district as student education records and/or personnel records shall be maintained in accordance with applicable law and Board policy.

Viewing requests

Requests for review of video recordings that are considered a student education record or personnel record will be as follows:

1. All viewing requests must be submitted in writing. Requests for viewing will be limited to those parents/guardians, students, staff and/or district officials with a direct interest in the recording as authorized by the designated district administrator. Only the portion of the recording concerning the specific incident at issue will be made available for viewing.
2. Written requests for viewing may be made to the designated district administrator within____school days of the date of recording.
3. Approval or denial for viewing will be made within____school days of receipt of the request and so communicated to the requesting individual.
4. Recordings will be made available for viewing within____school days of the approval of the request.
5. Actual viewing will be permitted only at district sites including a school building or district administrative office, unless otherwise required by law.
6. All viewing will include the designated district administrator or designee.
7. To the extent required by law, a written log will be maintained of those viewing video recordings including the date and location of viewing, reasons for viewing, date the recording was made and the viewer's signature.
8. Recordings will remain the property of the district and may be reproduced only in accordance with applicable law and Board policy.

(Approval date)



Brooks Kaufman
Lands and Rights of Way Director

August 28, 2017

Strasburg School District 31J
Attn: President of the Board of Education
56729 East Colorado Avenue
Strasburg, CO 80136

Re: IREA Constructing Underground Electric Line on East County Road 6, Strasburg

Dear Representative for the Strasburg School District,

Intermountain Rural Electric Association (IREA) has designed a project to construct an underground electric line from the Strasburg Substation to the Strasburg Feeder to improve electric reliability in the area. As we have previously discussed, IREA seeks to acquire an easement on your property located at East County Road 6, Strasburg, CO for a portion of this new underground wire easement. The easement is approximately 15 feet wide along County Road 6, and will be adjacent to the property line. The total area of the proposed easement is 0.006 acres, more or less. The exact location is shown on the enclosed Exhibit "A" attached to the General Right-of-Way Easement Agreement, also enclosed for signature.

Easement consideration for this parcel is calculated at \$30.00 due to the minimal area needed for this project, however, IREA has authorized an offer of \$500.00 for the easement area.

This figure represents fifty percent of the fee value, estimated at a unit value of \$10,000 per acre, as we have assessed with comparable sales data.

$0.006 \text{ acres} \times \$10,000/\text{acre} \times 50\% = \30.00 Easement consideration, but an amount of \$500.00 is offered.

Please sign this document on the following page and the enclosed General Right-of-Way Easement in front of a notary and complete the IRS W9 form. Upon receipt of the signed easement and W-9 form, IREA will forward you payment for the easement area.

If you have any questions concerning the easement or consideration amount, you may contact Ryan McMakin with HDR at (720)272-5756 or Amy Borders with HDR at (719)272-8848. Your cooperation and assistance in this endeavor are greatly appreciated.

INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION
5496 N. U.S. Highway 85, P.O. Drawer A / Sedalia, Colorado 80135
Telephone (720)733-5493
bkaufman@irea.coop

Grantor:

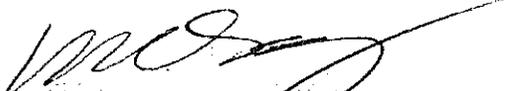
The undersigned have set their hands this _____ day of _____, 2017.

Printed Name of The President of the Board of Education of
Strasburg School District 31J

Signature

Grantee:

The undersigned have set their hands this 28th day of August, 2017.



BROOKS KAUFMAN
Lands and Rights-of-Way Director, IREA

Enclosures: General Right of Way Easement, Legal Description, W9 Form

INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION
5496 N. U.S. Highway 85, P.O. Drawer A / Sedalia, Colorado 80135
Telephone (303) 688-3100 Ext. 358

| | |
|---------------------|-------------------|
| For IREA Use Only | |
| Section <u>4</u> | Township <u>4</u> |
| Range <u>62</u> | |
| W/O # <u>BBB662</u> | |
| Grid # _____ | |

INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION
5496 North U.S. Highway 85, P.O. Drawer A
Sedalia, Colorado 80135
303-688-3100

GENERAL RIGHT-OF-WAY EASEMENT
(Underground Access)

KNOW ALL MEN BY THESE PRESENTS, that STRASBURG SCHOOL DISTRICT 31J, Grantor, for a good and valuable consideration, the receipt whereof is hereby acknowledged, does hereby grant unto THE INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION, a Colorado Corporation (hereinafter called the "Association"), whose address is 5496 North U.S. Highway 85, Sedalia, Colorado 80135, and to its successors or assigns, a non-exclusive right-of-way and easement as described in Exhibit A for the construction and continued operation, maintenance, inspection, repair, alteration, and replacement of an underground electric transmission and/or distribution line or system including underground cables, wires, conduits, manholes, splicing boxes, testing terminals located on the surface or underground, and other attachments and incidental equipment and appurtenances upon, over, under, and across the following premises belonging to the said Grantor situated in the County of Arapahoe and State of Colorado, and more particularly described as follows:

SEE EXHIBIT A (two pages) ATTACHED HERETO AND INCORPORATED HEREIN BY THIS

REFERENCE

Together with all rights of ingress and egress necessary for the full and complete use, occupation, and enjoyment of the easement hereby granted, and all rights and privileges incident thereto, including, for the installation and maintenance of said line, the right to cut, trim, and remove trees, brush, overhanging branches, shrubbery, and other obstruction that may interfere with or threaten to endanger the operation, maintenance, and repair of said line or system; to place location markers on the surface, on or beyond said right-of-way and easement for the said underground facilities, where appropriate; to license, permit, or otherwise agree to the joint use or occupancy of the line or system by any other person, association, or corporation for electrification or communication purposes; and to open and close any fences crossing said right-of-way and easement or, when agreed to by Grantor, to install gates and stiles in said fences; and together with the right to use that portion of the adjoining premises of Grantor during surveying, construction, maintenance, repair, removal or replacement of said utility lines and related fixtures and devices as may be required to permit the operation of standard utility construction or repair machinery. The work of installing and maintaining said lines and fixtures shall be done with care; the surface along the easement shall be restored substantially to its original level and condition.

The undersigned agrees that all wires and other facilities installed under or across the above described lands by the Association shall remain the property of and may be removed at the option of the Association.

Grantor for himself/herself, his/her heirs, executors, administrators, successors, and assigns, while reserving the right to use said strip of land for all purposes not inconsistent with the rights herein granted to said Association, hereby covenants that no structures shall be erected, or combustible material or property shall be permitted, on said strip, and that the said strip shall not be used in any manner which will interfere with or damage the facilities installed pursuant to this grant, or interfere with the maintenance, repair, and replacement of said facilities.

The undersigned covenants that he/she is the owner of the above-described lands and that the said lands are free and clear of encumbrances and liens of whatsoever character except the following:

THOSE OF RECORD

IN WITNESS WHEREOF, the undersigned have set their hands and seals this ____ day of _____, ____.

Printed Name of the President of the Board of Education
Strasburg School District 31J

Signature, President of the Board of Education

STATE OF COLORADO)
) ss.
County of ADAMS)

The foregoing instrument was acknowledged before me this ____ day of _____, _____, by

_____, President of the Board of Education of the Strasburg School District 31J.

Witness my hand and official seal.

My Commission expires: _____

Notary Public

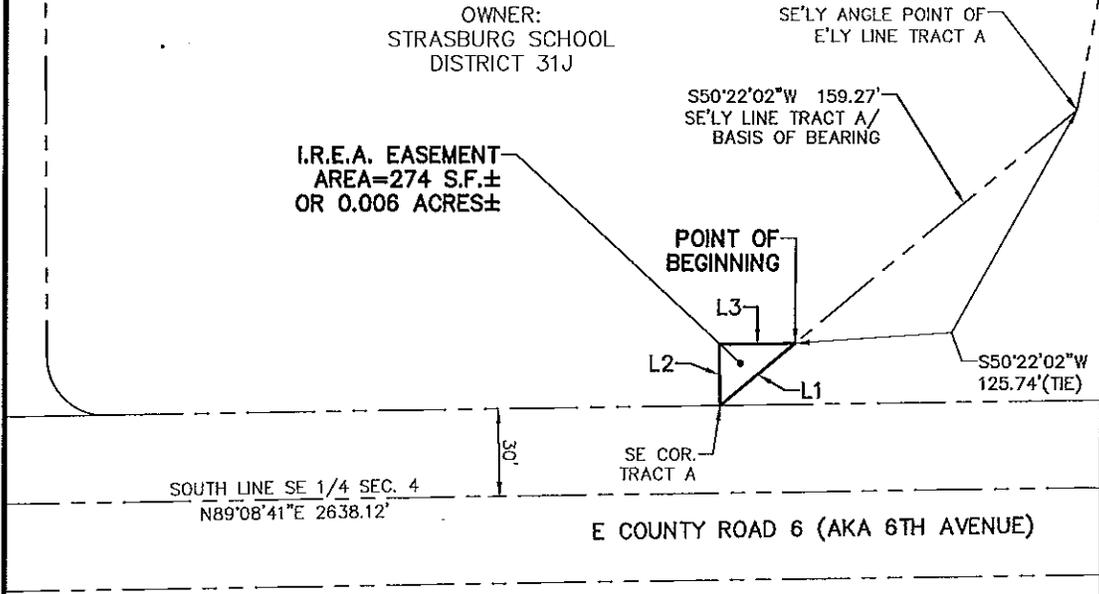
SE1/4 SECTION 4
 T4S, R62W, 6TH P.M.
 (ARAPAHOE COUNTY)

EXHIBIT "A"

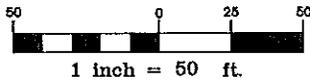
TRACT A
 COMANCHE CROSSING
 SUBDIVISION FILING NO. 2

OWNER:
 STRASBURG SCHOOL
 DISTRICT 31J

I.R.E.A. EASEMENT
 AREA=274 S.F.±
 OR 0.006 ACRES±



| LINE TABLE | | |
|------------|-------------|----------|
| LINE # | BEARING | DISTANCE |
| L1 | S50°22'02"W | 33.53' |
| L2 | N00°51'19"W | 21.00' |
| L3 | N89°08'41"E | 26.14' |



- 1.) PARCEL OWNERSHIP IS BASED ON THE RECORDS OF THE COUNTY ASSESSOR.
- 2.) ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS AFTER THE DATE OF THE CERTIFICATION SHOWN HEREON.
- 3.) THE ONLY PURPOSE OF THIS EXHIBIT IS TO SHOW THE LOCATION OF THE EASEMENT(S).
- 4.) THIS DOCUMENT SHALL BE CONSIDERED NULL AND VOID IF IT DOES NOT BEAR THE ORIGINAL SIGNATURE AND SEAL OF THE PROFESSIONAL LAND SURVEYOR OR IF ALTERED IN ANY WAY.

| | | | |
|---|------------------------|-------------------------|-------------------------------|
| <p>Precision Survey & Mapping, Inc. <small>REGISTERED PROFESSIONAL LAND SURVEYORS</small> 8145 E. Kanyon Ave., Suite 101, Denver, CO 80237 Tel:(303) 753-8799 Fax:(303) 753-4644</p> | DRN. BY: <u>D.L.</u> | FILE: <u>R12136.dwg</u> | <h2>UTILITY EASEMENT</h2> |
| | CHKD. BY: <u>J.L.</u> | SHEET: <u>1 OF 2</u> | |
| | DATE: <u>6/23/17</u> | W/O #: <u>BBB662</u> | |
| | SCALE: <u>1" = 50'</u> | | |

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 62 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, ALSO BEING A PORTION OF TRACT A, COMANCHE CROSSING SUBDIVISION FILING NO. 2, FILED IN THE ARAPAHOE COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION NO. B3213118, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING OF THIS DESCRIPTION IS ALONG THE SOUTHEASTERLY LINE OF SAID TRACT A, ASSUMED TO BEAR S50°22'02"W A DISTANCE OF 159.27 FEET;

BEGINNING AT A POINT ON THE SOUTHEASTERLY LINE OF SAID TRACT A, SAID POINT BEARS S50°22'02"W A DISTANCE OF 125.74 FEET FROM THE SOUTHEASTERLY ANGLE POINT OF THE EASTERLY LINE OF SAID TRACT A;

THENCE S50°22'02"W ALONG SAID SOUTHEASTERLY LINE A DISTANCE OF 33.53 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF EAST COUNTY ROAD 6; THENCE N00°51'19"W A DISTANCE OF 21.00 FEET; THENCE N89°08'41"E A DISTANCE OF 26.14 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 274 SQUARE FEET OR 0.006 ACRES, MORE OR LESS.

I, THE UNDERSIGNED, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY SUPERVISION AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.



Christopher P. Julian 6/23/17
 CHRISTOPHER P. JULIAN, L.S. 31188 DATE
 FOR AND BEHALF OF PRECISION SURVEY & MAPPING, INC.

| | | | | |
|---|---|---|---|--|
|  | Precision Survey & Mapping, Inc. <small>PRECISION SURVEY & MAPPING, INC.</small> | DRN. BY: <u>D.L.</u> CHKD. BY: <u>J.L.</u> DATE: <u>6/23/17</u> SCALE: <u>1" = 50'</u> | FILE: <u>R12136.dwg</u> SHEET: <u>2 OF 2</u> W/O #: <u>BBB662</u> | <h2 style="margin: 0;">UTILITY EASEMENT</h2> |
|---|---|---|---|--|



Strasburg School District 31J

**District Mission: Develop responsible
and productive members of society**

56729 E. Colorado Ave, Strasburg, CO 80135

Phone: (303) 622-9211 Fax: (303) 622-9224

Be it resolved that the authorized names on Safety Deposit Box located at Guaranty Bank be changed to Georgia Steele and Monica Johnson. All other names associated with the District Safety Deposit Box are null and void.

Date: September 13, 2017

Strasburg School Board President
Nancy Taylor

Strasburg School Board Secretary/Treasurer
Bob Yaich

District Accountability Committee

Members 2017

Michelle Miller
Sharlyn Rose
Chad Marin
Donna Holcomb
Jennifer Hall
Ronda Lee
Jeff Rasp
Larry Silvestri
Marc Tayler
Sara Turrell
Michael Marrero
Polly Robson

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

**Minutes of the Regular Meeting of the Board of Education
August 9th, 2017 (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, Mrs. Nancy Taylor.

ATTENDANCE: (Roll Call)

Board members present were: Nancy Taylor, Connie Lybarger, John Sampson and Robert Yaich and (Absent board member was Keith Yaich).

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, and some staff members of the District.

PLEDGE OF ALLEGIANCE: Mrs. Taylor

AGENDA APPROVAL:

On a motion by Mr. John Sampson and seconded by Mr. Robert Yaich, it is hereby resolved to approve the amended agenda.

AYE: LYBARGER, SAMPSON, TAYLOR, ROBERT YAICH

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

PATRONS ADDRESSING THE BOARD OF EDUCATION:

None

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

Superintendent Johnson discussed the following items with the BOE, Leadership Saboteurs, review of election deadlines, Morgan Community College update, District Facebook-discussion on who will monitor this. Superintendent Johnson also invited the BOE to attend the district's welcome back breakfast on August 14th.

BOARD DISCUSSION ITEMS:

Work session date set for Thursday, August 24th at 6:30pm

BOARD ACTION ITEMS:

- a. On a motion by Mr. Robert Yaich and seconded by Mrs. Connie Lybarger, it is hereby resolved to approve the resignations of Dena Leslie, SES Teacher, Melissa White, SES Teacher, Cassie Millhollin, Bus driver.

AYE: LYBARGER, SAMPSON, TAYLOR, ROBERT YAICH

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

- b. On a motion by Mr. Robert Yaich and seconded by Mrs. Connie Lybarger, it is hereby resolved to approve the hiring of, Heather Turner, food services, Nicole Bundy, food services, Chris Leisge, SHS Science Teacher, Elizabeth Ionkina, SHS English Teacher, Jasel Estrada, SES Teacher, Angela Lay, SES Teacher, Raquelle Clifton, SES Para, Chris McCoy, Long term sub, updated fall coaches

list, substitute list, Jessica Hicks, SHS Cheer Coach, SHS Tosa/Sosa list, HMS Tosa/Sosa list, SES Tosa/Sosa list.

AYE: LYBARGER, SAMPSON, TAYLOR, ROBERT YAICH

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

- c. On a motion by Mr. Robert Yaich and seconded by Mrs. Connie Lybarger, it is hereby resolved to approve the second and final reading of policies EE-E-1 and EF-E-2 and to approve with the recommended changes policies ADD, EBBB, (EBCE-Strike) ECA-ECAB, EEAEF, EEAEF-R.

AYE: LYBARGER, SAMPSON, TAYLOR, ROBERT YAICH

- d. **NAY: NONE – MOTION CARRIED: 4-0 (KEITH YAICH ABSENT)**

- e. On a motion by Mr. Robert Yaich and seconded by Mrs. Connie Lybarger, it is hereby resolved to approve with recommended changes the first reading of policies (ADF-R-Strike) ECAF, ECAF-R.

AYE: LYBARGER, SAMPSON, TAYLOR, ROBERT YAICH

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

- f. On a motion by Mr. Robert Yaich and seconded by Mrs. Connie Lybarger, it is hereby resolved to approve Johns Sampson as the district CASB delegate.

AYE: LYBARGER, SAMPSON, TAYLOR, ROBERT YAICH

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

CONSENT AGENDA: BOARD MINUTES AND CLAIMS AND FINANCIALS SECTION VII

- g. On a motion by Mr. Robert Yaich and seconded by Mr. John Sampson, it is hereby resolved to approve the minutes, claims and financial packet for the June 21st, 2017 board of education meeting as presented.

AYE: LYBARGER, SAMPSON, TAYLOR, ROBERT YAICH

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

ADJOURNMENT:

Nancy Taylor, President

Date

Robert Yaich, Secretary

Date

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

**Minutes of the Work Session of the Board of Education
August 24, 2017 (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, Mrs. Nancy Taylor

ATTENDANCE: (ROLL CALL)

Board members present were: Nancy Taylor, Connie Lybarger and John Sampson (Absent board members, Robert Yaich, Keith Yaich).

Others present were Superintendent Monica Johnson, Jeff Rasp, Sara Turrell, Carol Wethington, Phil Redgate, Jeff Bain

BOARD DISCUSSION

Mrs. Johnson presented the Board with a list of recommendations to consider for expenditure of the one-time Small Rural Grant funds. Jeff Bain spoke about the security cameras and connectivity to one server. Phil Redgate addressed the deferred facility expenses.

Mrs. Johnson informed the Board that she anticipates an increase in the fund balance this year and will recommend that funds be appropriated to finish several of the recommended projects.

Mrs. Taylor informed the group that the Strasburg Education Foundation has a desire to help fund a project similar to or including the proposed expansion of the outside landscaping at the Middle School.

Mrs. Johnson will have Mr. Bain and Mr. Redgate move forward with getting additional bids for the proposed projects.

ADJOURNED

The meeting adjourned.

Nancy Taylor, President

Date

Robert Yaich, Secretary

Date