



## **Annual Notification to Parents/Guardians**

# **Behavioral Code of Conduct Board of Education Policies**

*Rights and Responsibilities of Students and Parents*



**The mission of the Thompson School District is to  
Empower to Learn • Challenge to Achieve • Inspire to Excel**

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## Preamble

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

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

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.

Student discipline shall be carried out with dignity and empathy. To ensure equity in discipline, schools will strive to eliminate disproportionality in discipline, reduce exclusionary discipline, create a positive school climate and culture, and incorporate social emotional learning, shared decision-making, positive behavior interventions and supports, and restorative practices.

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, parent/guardians, students and other members of the community in the development and review of the student conduct and discipline code.

The purpose of this publication is to outline student rights and responsibilities and provide the guidelines/rules which make up the "Discipline Code" for the Thompson School District. Policies covering information required by law to be communicated to students and parents/guardians are listed in this document. Questions concerning this document may be directed to individual building principals, the Directors of Elementary Education, Secondary Education, or Student Success, or the district superintendent.

## Distribution of conduct and discipline code

The Code of Conduct (Board Policy JICDA) shall be provided to each student and the student's parents/guardians upon enrollment in elementary, middle and high school. Copies of the Code of Conduct shall be available in each school of the district. In addition, any significant change in the Code shall be provided to students and made available in each school.

A copy of this document and all Board of Education policies including those referenced in this book are available on-line at [www.thompsonschoools.org](http://www.thompsonschoools.org).

Copies of specific policies are available upon request within three business days.

**This Document Contains Policies Required by Law to be Distributed to Students/  
Parents/Guardians**

## **NONDISCRIMINATION/EQUAL OPPORTUNITY (AC)**

**Revised July 22, 2020**

The district is committed to providing a safe learning and work environment where all members of the school community are treated with dignity and respect. The schools in the district are subject to all federal and state laws and constitutional provisions prohibiting unlawful discrimination on the basis of a person's actual or perceived characteristics such as, but not limited to, race, color, sex, sexual orientation, gender identity, gender expression, religion, creed, national origin, ancestry, immigration/citizenship status, age, marital status, conditions related to pregnancy or childbirth, genetic information, mental or physical disability, need for special education services, or any other protected class in conformance with federal, state, and local law. Accordingly, no otherwise qualified student or employee, applicant for employment or member of the public shall be excluded from participation in, be denied the benefits of, or be subjected to unlawful discrimination under any district program or activity on the basis of a person's actual or perceived characteristics such as, but not limited to, race, color, sex, sexual orientation, gender identity, gender expression, religion, creed, national origin, ancestry, immigration/citizenship status, age, marital status, conditions related to pregnancy or childbirth, genetic information, mental or physical disability, need for special education services, or any other protected class in conformance with federal, state, and local law.

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

- “Race” includes hair texture, hair type, or a protective hairstyle that is commonly or historically associated with race.
- “Protective Hairstyle” includes such hairstyles as braids, locs, twists, tight coils or curls, cornrows, bantu knots, afros, and head wraps.
- “Sexual Orientation” means a person’s orientation toward heterosexuality, homosexuality, bisexuality, or transgender status or another person’s perception thereof.

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

In keeping with these statements, the following shall be objectives of this district:

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

### **Annual Notice**

The district shall issue a written notice prior to the beginning of each school year that advises students, parents, employees and the general public that the educational programs, activities and employment opportunities offered

by the district are offered without regard to a person's actual or perceived characteristics such as, but not limited to, race, color, sex, sexual orientation, gender identity, gender expression, religion, creed, national origin, ancestry, immigration/citizenship status, age, marital status, conditions related to pregnancy or childbirth, genetic information, mental or physical disability, need for special education services, or any other protected class in conformance with federal, state, and local law. With respect to employment practices, the district shall also issue written notice that it does not discriminate on the basis of age or genetic information. The announcement shall also include the name/title, address, email address and telephone number of the person(s) designated to coordinate the district's Title IX and Section 504 and ADA compliance activities. *See Exhibit AC-E-1.*

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

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

### **Harassment Is Prohibited**

Harassment based on a person's actual or perceived characteristics such as, but not limited to, race, color, sex, sexual orientation, gender identity, gender expression, religion, creed, national origin, ancestry, immigration/citizenship status, age, marital status, conditions related to pregnancy or childbirth, genetic information, mental or physical disability, need for special education services, or any other protected class in conformance with federal, state, and local law is a form of discrimination prohibited by this policy. Preventing and remedying such harassment in schools is essential to ensure a nondiscriminatory, safe environment in which students can learn, employees can work, and members of the public can access and receive the benefit of district facilities and programs. All such harassment, by district employees, students and third parties, is strictly prohibited.

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

For purposes of this policy, harassment is any unwelcome, hostile and offensive verbal, written or physical conduct based on or directed at a person's actual or perceived characteristics such as, but not limited to, race, color, sex, sexual orientation, gender identity, gender expression, religion, creed, national origin, ancestry, immigration/citizenship status, age, marital status, conditions related to pregnancy or childbirth, genetic information, mental or physical disability, need for special education services, or any other protected class in conformance with federal, state, and local law that: (1) results in physical, emotional or mental harm, or damage to property; (2) is sufficiently severe, persistent, or pervasive that it interferes with an individual's ability to participate in or benefit from an educational program or activity or creates an intimidating, hostile or threatening environment; or (3) substantially disrupts the orderly operation of the school. Board policy on sexual harassment (GBAA for employees and JBB for students) will apply to complaints alleging sexual harassment.

Harassing conduct may take many forms, including, but not limited to:

1. verbal acts and name-calling
2. graphic depictions and written statements, which may include use of cell phones or the internet
3. other conduct that may be physically threatening, harmful or humiliating

### **Reporting Unlawful Discrimination and Harassment**

Any student who believes they have been a target of unlawful discrimination or harassment as defined in this

policy, or who has witnessed such unlawful discrimination or harassment, shall immediately report it to an administrator, counselor, teacher or the appropriate district compliance officer and file a complaint as set forth in the regulation which accompanies this policy. *See Regulation AC-R and Exhibits AC-E-1 and AC-E-2.*

Any employee, applicant for employment or member of the public who believes they have been a target of unlawful discrimination or harassment, or who has witnessed such unlawful discrimination or harassment, shall file a complaint with either an immediate supervisor or the appropriate district compliance officer. *See Regulation AC-R and Exhibits AC-E-1 and AC-E-2.*

If the individual alleged to have engaged in prohibited conduct is the person designated as the compliance officer, an alternate compliance officer will be designated to investigate the matter in accordance with this policy's accompanying regulation.

### **District Action**

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

The district shall take appropriate action to promptly and impartially investigate allegations of unlawful discrimination and harassment, to end discriminatory or harassing behavior, to prevent the recurrence of such behavior, and to prevent retaliation against any individuals who file complaints and any persons who participate in an investigation. When appropriate, the district shall take supportive measures during the investigation to protect against unlawful discrimination, harassment or retaliation.

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

Upon determining that incidents of unlawful discrimination or harassment in violation of this policy are occurring in particular district settings or activities, the district shall implement supportive measures designed to remedy the problem in those areas or activities.

Any student or employee who engages in unlawful discrimination or harassment in violation of this policy shall be disciplined according to applicable Board policies and the district shall take reasonable action to restore lost educational or employment opportunities to the individual(s).

In cases involving potential criminal conduct, the district compliance officer shall determine whether appropriate law enforcement officials should be notified.

### **Notice and Training**

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

Students and employees shall receive periodic training related to recognizing and preventing unlawful discrimination and harassment in violation of this policy. Employees shall receive additional training related to handling reports of unlawful discrimination and harassment.

The training will include, but not be limited to:

- awareness of groups protected under state and federal law



- how to recognize and react to unlawful discrimination and harassment in violation of this policy
- harassment prevention strategies

**NONDISCRIMINATION/EQUAL OPPORTUNITY (AC-R)**

(Complaint and Compliance Process)

Revised July 28, 2020

The district is committed to providing a working and learning environment that is free from unlawful discrimination and harassment on the basis of any status protected by law. The district shall promptly respond to concerns and complaints of such unlawful discrimination and/or harassment; take action in response when discrimination and/or harassment is discovered; impose appropriate sanctions on offenders in a case-by-case manner; and protect the privacy of all those involved in discrimination and/or harassment complaints to the extent required by state and federal law. When appropriate, the complaint shall be referred to law enforcement for investigation.

The district has adopted the following procedures to promptly and fairly address concerns and complaints about discrimination and/or harassment. Complaints may be submitted orally or in writing to the appropriate compliance officer or compliance officer's designee.

**Definitions**

1. The term "compliance officer" refers to the employee(s) designated by the Board of Education to receive, investigate, and respond to complaints of alleged unlawful discrimination and harassment and otherwise coordinate the district's efforts to ensure a working and learning environment that is free from unlawful discrimination and harassment. The compliance officer(s) shall be identified by name/title, address, telephone number and email address. See exhibit AC-E-1. If the designated individual(s) is not qualified or unable to act as such, the superintendent shall designate an administrator who shall serve until a successor is appointed by the Board.
2. The term "aggrieved individual" shall mean a student, the parents or guardians of a student under the age of 18 acting on behalf of a student, an employee of the district, or member of the public who is directly affected by and/or is a witness to an alleged violation of Board policy prohibiting unlawful discrimination or harassment.

**Compliance Officer Duties**

The compliance officer(s) or compliance officer's designee shall be responsible for conducting an investigation and coordinating all complaint procedures and processes for any alleged violation of federal or state statute or Board policy prohibiting unlawful discrimination or harassment on the basis of a person's actual or perceived characteristics such as, but not limited to, race, color, sex, sexual orientation, gender identity, gender expression, religion, creed, national origin, ancestry, immigration/citizenship status, age, marital status, conditions related to pregnancy or childbirth, genetic information, mental or physical disability, need for special education services, or any other protected class in conformance with federal, state, and local law. The compliance officer(s)'s duties shall include providing notice to students, parents/guardians of students, employees, and the general public concerning the district's applicable policies and complaint process, providing training for employees regarding the prohibition of discrimination/harassment in all district programs, activities and employment practices, disseminating information concerning the forms and procedures for the filing of complaints, ensuring the prompt investigation of all complaints and identifying and addressing any patterns or systemic problems that arise during the review of complaints. The compliance officer(s) may delegate any or all of the foregoing responsibilities as necessary and/or appropriate under the circumstances.

**Complaint Procedure**

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

designee for appointment of an appropriate alternate investigator.

Any aggrieved individual may file, with the appropriate compliance officer, a complaint charging the district, another student or any school employee with unlawful discrimination or harassment in violation of Board policy. Complaints may be made orally or in writing. Persons who wish to file a written complaint shall be encouraged to use the district's designated complaint form (*see* AC-E-2), available from HR and building administrators.

All Reports and complaints shall not be accepted for investigation more than one-hundred eighty (180) calendar days after the last date on which the alleged harassment or unlawful discrimination occurred. Extensions may be granted upon showing that the aggrieved individual was prevented from timely filing as a result of circumstances beyond their control.

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

The compliance officer or compliance officer's designee shall confer with the aggrieved individual and/or the alleged target of the unlawful discrimination or harassment, and, if a student, their parents/guardians, as soon as is reasonably possible, but no later than ten (10) school days following the district's receipt of the complaint in order to obtain a clear understanding of the basis for the complaint.

(Moved up 1 paragraph from below)

Within ten (10) school days following the initial meeting with the aggrieved individual and/or the alleged target, the compliance officer shall attempt to meet with the individual alleged to have engaged in the prohibited conduct and, if a student, their parents/guardians in order to obtain a response to the complaint. Such person(s) shall be informed of all allegations that, in the compliance officer's judgment, are necessary to achieve a full and accurate disclosure of material information or to otherwise resolve the complaint.

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

### **Informal Action**

If the aggrieved individual and/or the alleged target and the individual alleged to have engaged in the prohibited conduct request that the matter be resolved in an informal manner, and the compliance officer believes that the matter is suitable to such resolution, the compliance officer may attempt to resolve the matter informally through mediation, counseling or other non-disciplinary means. If both parties feel a resolution has been achieved through the informal process, then no further action will be taken. No party shall be compelled to resolve a complaint of unlawful discrimination or harassment informally, and either party may request an end to an informal process at any time.

Informal resolution shall not be used to process complaints against a district employee and shall not be used between students where the underlying offense involves sexual assault or other acts of violence.

### **Formal Action**

If informal resolution is inappropriate, unavailable or unsuccessful, the compliance officer or compliance officer's designee shall promptly investigate the allegations to determine whether and/or to what extent unlawful discrimination or harassment has occurred in violation of Board policy. If the complaint alleges sexual harassment in violation of Board policies GBA or JBB, the investigation will be conducted in accordance with both the provisions of those policies as well as the steps outlined below.

The compliance officer may consider the following types of information in determining whether unlawful discrimination or harassment occurred:

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

In deciding whether conduct is a violation of Board policy, all relevant circumstances shall be considered by the compliance officer, including, but not limited to:

- a. the degree to which the conduct affected one or more student's education or one or more employee's work environment
- b. the type, frequency and duration of the conduct
- c. the identity of and relationship between the individual alleged to have engaged in the prohibited conduct and the aggrieved individual and/or the alleged target
- d. the number of individuals alleged to have engaged in the prohibited conduct and number of targets of the prohibited conduct
- e. the age of the individual alleged to have engaged in the prohibited conduct and the aggrieved individual and/or the alleged target
- f. the size of the school, location of the incident and context in which it occurred
- g. other incidents at the school

Within twenty (20) school days following the meeting with the individual alleged to have engaged in the prohibited conduct or the termination of the informal resolution process, whichever occurs later, the compliance officer or compliance officer's designee shall prepare a written report to the aggrieved individual and/or the alleged target or their legal guardian, and the individual alleged to have engaged in the prohibited conduct or their legal guardian. The compliance officer or compliance officer's designee will wait ten (10) days prior to providing the report to the decision maker. During these ten (10) days, the aggrieved individual and/or the alleged target or their legal guardian and the individual alleged to have engaged in the prohibited conduct or their legal guardian will be provided time to review the evidence in the report and to provide the compliance officer or compliance officer designee with any further information or relevant questions to include in the investigation and/or report. The compliance officer or compliance officer designee's report must be advisory and must not bind the decision maker to any particular course of action or remedial measure.

The decision maker will apply the preponderance of the evidence standard when making a decision and must notify the aggrieved individual and/or the alleged target or their legal guardian and the individual alleged to have engaged in the prohibited conduct or their legal guardian of the decision. The decision must include a written determination regarding responsibility, explain how and why the decision maker reached the conclusions

outlined in the report, and detail any disciplinary measures taken in response to the conduct. The decision of the decision maker in no way prejudices either the complainant or the respondent from seeking redress through state or federal agencies, as provided in law.

If either party is not satisfied with the decision maker's determination, a written request for review may be filed with the superintendent or the superintendent's designee within ten (10) calendar days from receiving the written report. Within thirty (30) school days of receiving the request for review, the superintendent or superintendent's designee shall conduct any additional investigation necessary and issue a written report to the alleged victim or their legal guardian, the individual alleged to have engaged in the prohibited conduct or their legal guardian, and the compliance officer. The superintendent's or superintendent designee's review shall be limited to whether or not the complaint policy was adequately followed and whether there has been a violation of Board policy. Any action taken by the superintendent or superintendent's designee shall be final.

### **Section 504 Hearing Procedure**

In addition to utilizing the complaint procedures described above, if a complaint involves a student's identification, evaluation, or educational placement under Section 504 of the Rehabilitation Act, the student's parents or legal guardians also have the option of requesting an impartial due process hearing. The district's due process hearing procedures are as follows:

- An impartial due process hearing may be requested by filing written notice with the district's Section 504/ADA Compliance Officer.
- Upon receiving a written request for a hearing, the district's Section 504/ADA Compliance Officer will select an impartial hearing officer to decide the matter.
- The district-appointed hearing officer will schedule a due process hearing to occur as soon as reasonably practicable for the parent/legal guardian and district.
- The parent/legal guardian and district may be represented by legal counsel at the hearing, may examine relevant records, and participate in the hearing. Within ten (10) school days after the conclusion of the hearing, the hearing officer will issue a written decision. The decision shall include applicable findings of fact and conclusions of law. The hearing officer shall submit the written decision to the parent/legal guardian and the superintendent. The decision of the hearing officer shall constitute the final administrative decision in the matter.
- If either the parent/legal guardian or the district is not satisfied with the decision rendered by the hearing officer, the parent/legal guardian or district may initiate legal proceedings in a court of competent jurisdiction.

### **Outside Agencies**

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

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

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

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

DORA\_CCRDIIntake@state.co.us (intake unit)

**NONDISCRIMINATION/EQUAL OPPORTUNITY (AC-E-1)**

Revised July 28, 2020

In compliance with Titles VI & VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act of 2008, and Colorado law, The Thompson School district does not unlawfully discriminate against otherwise qualified students, employees, applicants for employment, or members of the public on the basis of a person's actual or perceived characteristics such as, but not limited to, race, color, sex, sexual orientation, gender identity, gender expression, religion, creed, national origin, ancestry, immigration/citizenship status, age, marital status, conditions related to pregnancy or childbirth, genetic information, mental or physical disability, need for special education services, or any other protected class in conformance with federal, state, and local law.. Discrimination against employees and applicants for employment based on age, genetic information, and conditions related to pregnancy or childbirth is also prohibited in accordance with state and/or federal law.

The individual named as the district's compliance officer for purposes of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) specific to students is:

Charlie Carter, Executive Director of Student Support Services  
Thompson R2-J School District  
800 South Taft Avenue Loveland, CO 80537  
970-613-5092  
Charlie.Carter@thompsonschoools.org

The above-listed individual has been designated to assist the district, specific to students, with its response to complaints of discrimination and/or harassment on the basis of disability.

The individual named as the district's compliance officer for purposes of Section 504 of the Rehabilitation Act of 1973 and the American with Disabilities Act (ADA) specific to employees, and Title IX and/or other federal and state civil rights laws for both students and employees is:

Thomas Texeira, Director of Human Resources  
Thompson R2-J School District  
800 South Taft Avenue Loveland, CO 80537  
970-613-5009  
Thomas.Teixeira@thompsonschoools.org

The above-listed individual has been designated to assist the district with its response to complaints of unlawful discrimination and/or harassment on the basis of a person's actual or perceived characteristics such as, but not limited to, race, color, sex, sexual orientation, gender identity, gender expression, religion, creed, national origin, ancestry, immigration/citizenship status, age, marital status, conditions related to pregnancy or childbirth, genetic information, mental or physical disability, need for special education services, or any other protected class in conformance with federal, state, and local law for students and employees. In addition, this individual has been designated to assist the district, specific to employees, with its response to complaints of unlawful discrimination and/or harassment on the basis of disability.

**Outside agencies**

Complaints regarding violations of Title VI, (race, national origin), Title IX (sex, gender), Section 504/ADA (handicap or disability), may be filed directly with the Office for Civil Rights, U.S. Department of Education, 1244 North Speer Blvd., Suite 310, Denver, CO 80204. Complaints regarding violations of Title VII (employment) and the ADEA (prohibiting age discrimination in employment) may be filed directly with the Federal Office of Equal

Employment Opportunity Commission, 303 E. 17th Ave., Suite 510, Denver, CO 80202, or the Colorado Civil Rights Commission, 1560 Broadway, Suite 1050, Denver, CO 80202.



**COMPLAINT FORM (AC-E-2)**

Revised July 29, 2020

The district does not permit discrimination on the basis of a person's actual or perceived characteristics such as, but not limited to, race, color, sex, sexual orientation, gender identity, gender expression, religion, creed, national origin, ancestry, immigration/citizenship status, age, marital status, conditions related to pregnancy or childbirth, genetic information, mental or physical disability, need for special education services, or any other protected class in conformance with federal, state, and local law in any of its programs or activities. If you believe that unlawful discrimination or harassment has occurred in violation of Board Policy, please complete, sign, and submit this form to the appropriate district compliance officer, Thompson R2-J School District, 800 South Taft Avenue, Loveland, Colorado, 80537, 970-613-5000.

Date:

Complainant:

Name of Student (if applicable):

Address:

Phone:

- 
1. Describe the alleged violation in specific terms. Include: (a) the specific incident or activity that is viewed as unlawful discrimination or harassment; (b) the individual(s) involved; (c) the dates, times, and locations of the incident or activity; (d) names of witness(es); and (e) why you believe the incident constitutes a violation of Board Policy AC.
  
  2. Describe any relevant communication that has already occurred to address the issue. Please specify the type of communication, dates of communication, and names of individuals involved (attach additional pages if needed).
  
  3. Please describe how you would propose to resolve this issue (attach additional pages if needed).

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Complainant's Signature

**TOBACCO/NICOTINE-FREE SCHOOLS/WORK PLACE (ADC)**

Revised October 15, 2014

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

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

As an educational organization, the Thompson School District will discourage students from using tobacco by providing positive adult examples and effective anti-tobacco educational programs.

For purposes of this policy, the following definitions shall apply:

1. "District property" means all property owned, leased, rented or otherwise used by the district, including but not limited to the following:
  - a. interior portions of any building or other structure
  - b. all grounds over which the district exercises control, including areas around any buildings, playgrounds, athletic fields, recreation areas and parking areas
  - c. all vehicles used by the district
  - d. at a district sanctioned activity or event
2. "Tobacco product" means:
  - a. Any other product that contains nicotine or tobacco or is derived from tobacco and is intended to be ingested or inhaled by or applied to the skin of an individual, including but not limited to cigarettes, cigars, pipe tobacco, snuff, and chewing tobacco.
  - b. Any electronic device that can be used to deliver nicotine to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo or pipe.
  - c. "Tobacco product" does not include any product that has been approved by the appropriate federal agency as a tobacco use cessation product.
3. "Use" shall mean lighting, chewing, smoking, ingesting, inhaling or application of any tobacco or nicotine product.

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

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

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

## **POSTSECONDARY OPTIONS/CONCURRENT ENROLLMENT (IHCD A)**

Revised November 28, 2018

The Board believes that students are capable of and can pursue college level work while in high school and should be permitted to do so. Accordingly, the district provides simultaneous opportunities for high school and postsecondary course credit.

Students participating in this program shall still be considered as enrolled in the district and eligible for all high school activities at their high school of enrollment as long as they meet the requirements of the Colorado High School Activities Association.

### **Definitions**

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

"Concurrent enrollment" means the simultaneous enrollment of a qualified student in a district high school and in one or more postsecondary courses at an institution of higher education.

"Qualified student" means a person who is less than 21 years of age and is enrolled in ninth grade or higher grade level.

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

"Institution of higher education" means:

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

### **Concurrent Enrollment Programs Act**

The Concurrent Enrollment Programs Act enables qualified students to enroll in postsecondary courses at institutions of higher education and receive simultaneous high school and college credit for successfully completed courses. A qualified student enrolled in high school who has applied to and received approval from the district or school designee, an institute charter school and has received approval from the charter schools' chief administrator, may register with and concurrently enroll in an institution of higher education in accordance with the provisions of this article.

Subject to the availability of budgeted and appropriated funds, the district will pay the tuition of up to two courses per academic semester for each qualified student.

Students who wish to pursue more than two courses per academic semester, may do so by adhering to the following steps:

1. Meet with their high school counselor/ district concurrent enrollment coordinator and fill out an application requesting enrollment in additional postsecondary courses.
2. Submit the application form to the district concurrent enrollment coordinator the semester prior to the commencement of the postsecondary course(s) in which the student seeks to enroll
3. Await a decision within 2 school days by the district concurrent enrollment coordinator and the director of secondary education.
  - a. The decision will be made based on the student's past academic performance, the student's attendance, and recommendations from the school counseling staff.

Grade placement for home-schooled students will be determined by the Home School Administrator.

The district shall not be responsible for the costs of student fees, books, transportation, etc.

With the exception of the Career Pathways Program, the district shall not provide or pay for the qualified student's transportation to the institution of higher education.

Information about the postsecondary enrollment options, shall be distributed annually to all students in grades nine through twelve and to their parents or guardians.

The Board shall comply with all reporting requirements of the State Board of Education.

### **Accelerating Students Through Concurrent Enrollment (ASCENT)**

District students have the opportunity to apply and participate in the ASCENT program, which is designed to increase the percentage of students who participate in postsecondary education, especially among low income and traditionally underserved populations. However, all students that are interested are encouraged to apply for the program.

**EQUAL EDUCATIONAL OPPORTUNITIES (JB)**

Revised November 14, 2012

Every student of this district shall have equal opportunities through programs offered in the district regardless of race, color, ancestry, ethnicity, sex, sexual orientation, religion, marital status, national origin, disability or any other status protected by law.

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

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

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

Any concerns or complaints of discrimination in violation of this policy and/or other applicable policies shall be addressed in accordance with Board policy AC and regulation AC-R.

**SEXUAL HARASSMENT (JBB)**

Revised September 2, 2020

The Board of Education recognizes that sexual harassment can interfere with a student's academic performance and their emotional and physical well-being. Preventing and remedying sexual harassment in schools is essential to insure a nondiscriminatory, safe environment in which students can learn. In addition, sexual harassment is recognized as a form of sex discrimination and thus a violation of the laws that prohibit sex discrimination, as addressed in Board policy AC.

**District's Commitment**

The district is committed to maintaining a learning environment that is free from sexual harassment. It shall be a violation of policy for any employee or third party to harass students or for students to harass other students through conduct or communications of a sexual nature. It is also a violation of this policy for a student, employee, or third party to retaliate against anyone who reports sexual harassment or participates in a harassment investigation.

The district shall investigate all reports and formal complaints of sexual harassment brought by students, employees or third parties, and appropriate prompt and equitable corrective action shall be taken. Corrective action includes taking all reasonable steps necessary to end the harassment, to remedy the effects on the victim, to prevent harassment from recurring, and to prevent retaliation against anyone who reports sexual harassment or participates in a harassment investigation.

**Sexual Harassment Prohibited**

Unwelcome sexual advances, requests for sexual favors, or other verbal, non-verbal or physical conduct of a sexual nature may constitute sexual harassment, regardless of whether the harasser and the student being harassed are of the same or opposite sex and regardless of whether the student resists or submits to the harasser.

**Sexual Harassment Defined**

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

- 1. An employee of the district conditions the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;*
- 2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or*
- 3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).*

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

Any conduct of a sexual nature directed by a student toward an employee or by an employee to a student is presumed to be unwelcome and shall constitute sexual harassment.

Acts of verbal or physical aggression, intimidation or hostility based on sex, but not involving

conduct of a sexual nature, may also constitute sexual harassment.

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

Students are encouraged to report all incidents of sexual harassment to a teacher, counselor or principal in their school building and to file a complaint, through the district's complaint and compliance process (see Regulation AC-R and Exhibit AC-E-2). All reports and written complaints of sexual harassment from students, district employees and third parties, shall be forwarded to the district's Title IX compliance officer for investigation.

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

Upon receiving a complaint of sexual harassment, the Title IX compliance officer shall investigate and respond to the matter in accordance with Board regulation AC-R. While the investigation is underway, the Title IX compliance officer shall take any supportive measures necessary to ensure the safety of, and to avoid retaliation against, the alleged target(s), any witnesses, and any reporting individuals.

Where appropriate, the matter may be referred to law enforcement. If the matter is referred to law enforcement, the district may be asked to suspend its investigation pending the outcome of the criminal investigation and/or prosecution of the matter. If so, the district will implement appropriate supportive steps to ensure the safety of, and to avoid retaliation against, the alleged target(s), any witnesses, and any reporting individuals while criminal proceedings are underway. Once law enforcement authorities are finished with the matter, the district will ensure that it completes its investigation and, if applicable, takes any additional action necessary to remedy the matter.

In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct and the context in which the alleged conduct occurred shall be investigated. Throughout the investigation, the Title IX compliance officer shall maintain contact with the alleged target of harassment.

Any employee whose conduct is considered to be in violation of this policy shall face disciplinary action, which may include termination of employment. Any student found to have engaged in sexual harassment in violation of this policy shall be subject to discipline, including, but not limited to, being placed under a remedial discipline plan, suspension or expulsion, subject to applicable procedural requirements and in accordance with applicable law. Conduct of a sexual nature directed toward students shall, in appropriate circumstances, be reported as child abuse for investigation by appropriate authorities in conformity with Board policy JLF.

### **Notice and Training**

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

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



## **STUDENT ABSENCES AND EXCUSES (JH/JHA/JHBA)**

Revised September 18, 2013

The Board of Education believes that regular and punctual attendance contributes strongly to student academic success and builds habits that are required in the world of work. Frequent tardiness or absence disrupts the continuity of learning; often the work missed cannot be made up adequately. No other single factor is as closely linked with failing grades and dropping out of school. Students with good attendance generally achieve higher grades, enjoy school more and are more employable after leaving school.

State law makes parents/guardians responsible for seeing that their children attend school regularly or receive equivalent instruction. The Board is required to designate an attendance officer to enforce the provisions of the compulsory attendance law, counsel students and parents/guardians, investigate the causes of nonattendance and report findings to the Board. State law also allows the Board by resolution to authorize one or more school employees to represent the school district in judicial proceedings to enforce compulsory attendance. This report will be made during the fourth quarter of the year.

Each school in the district shall develop a policy/procedure regarding absences and tardies in accordance with the provisions of this policy, the accompanying regulation, and procedures adopted by the Board on December 6, 2000, and communicate them to its school community. The school attendance policy will be determined by students, staff and parents/guardians of the school under the leadership of the principal. It must include procedures for recording and monitoring attendance and notifying parents/guardians of nonattendance, limits on number of excused absences and tardies, incentives for regular attendance, and consequences for unexcused absences or excessive excused absences.

The school attendance policy should be designed as a teaching tool. Students should develop positive attitudes about attendance and punctuality; learn that getting to school regularly and on time builds important skills for later life, accept responsibility for their actions, and understand the negative consequences of poor attendance. Each school policy shall clarify the intent, systems and procedures for all concerned; be perceived as fair and just; be as efficient as possible while accomplishing its purposes; and include options for keeping students in school, such as behavior modification strategies for repeat or frequent offenders. Excessive absences are normally a symptom of other problems and attempts should be made to deal with whatever the other problem might be.

### **Special Considerations**

Because of the close ties between elementary children and their families, elementary schools should respond to unexcused absences with a family focus and the goal of finding and dealing with the underlying causes for the absences. The school should provide helpful, non-threatening assistance if needed. Elementary students and their parents/guardians need to think of the school as a friendly place and that learning is useful and desirable. As much as possible, the attendance procedure should reinforce these attitudes and not be punitive or authoritarian.

Middle school policies should attempt to be corrective with an emphasis on individual responsibility and needs. The consequences of repeated trancies or unexcused absences should be made clear. Consequences should be progressive, beginning by emphasizing the seriousness of the behavior and moving to loss of credit and referral to outside authority.

**TRUANCY (JHB)**

Revised September 18, 2013

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

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

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

## **STUDENT CONDUCT (JIC)**

Revised September 18, 2013

It is the intention of the Board of Education that district schools help students achieve maximum development of individual knowledge, skills and competence and that students become responsible, contributing members of society. Every student in a public school in this district has the right to learn in an environment that is safe, conducive to the learning process, and free from unnecessary disruption.

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

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

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

The district shall arrange to have the conduct and discipline code 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, kept online, or kept on file in each school of the district. In addition, any significant change in the code shall be provided to students and posted in each school.

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

## **STUDENT DRESS CODE (JICA)**

Revised February 21, 2018

A safe and disciplined learning environment is essential to a quality education program. District- wide standards on student attire are intended to ensure that all students are treated equitably and benefit from a safe learning environment. The Board of Education recognizes that students have a right to express themselves through dress and personal appearance and the responsibility for the dress and appearance of students generally rests with the student and their guardians. However, students shall not wear apparel that is deemed disruptive or potentially disruptive to the classroom environment or to the maintenance of an overall safe and equitable school environment for all students. Students are expected to dress appropriately for all school activities. The following general guidelines will be in effect:

1. Shoes, sandals, or boots must be worn in the buildings in order to avoid injury and disease.
2. Students must wear tops (shirts) and bottoms (pants, sweat pants, shorts, skirts, dresses, leggings)
3. Traditionally known private parts of the body must be covered with non-transparent material. Sunglasses, bandanas and/or hats may only be worn inside the building with permission from an administrator
4. The following will not be allowed: Any clothing, paraphernalia, grooming, jewelry, hair coloring, accessories, or body adornments that are or contain any advertisements, symbols, words, slogans, patches, or pictures that:
  - a. refer to drugs, tobacco, alcohol, or weapons
  - b. are of a sexual nature
  - c. by virtue of color, arrangement, trademark, or other attribute denote membership in gangs which advocate drug use, violence, or disruptive behavior
  - d. are obscene, profane, vulgar, lewd, or legally libelous
  - e. threaten the safety or welfare of any person
  - f. promote any activity prohibited by the student code of conduct
  - g. are racist in nature or include derogatory comments or slurs against groups of
  - h. people otherwise disrupt the teaching-learning process
5. All middle and high school students are required to have in their possession an unaltered school issued photo identification card (ID) during school hours, or at such times, locations, and activities specifically identified by the building principal.

**STUDENT CONDUCT IN SCHOOL VEHICLES (JICC)**

Revised November 14, 2012

The privilege of riding a school bus (or other district-provided transportation) is contingent upon a student's good behavior and observance of regulations for student conduct both at bus stops and on board buses (whether on a regular route or special trip).

Students are under the authority and supervision of the bus driver while on the school bus and while entering or leaving the vehicle and shall follow his/her directions. Principals are responsible for student conduct while students are waiting for buses at school; in cooperation with the transportation department, they shall use their professional judgment regarding any student behavior problem. The director of transportation may authorize a driver to refuse transportation to a student.

Any conduct on a school bus that distracts the driver, endangers or threatens others, or violates any other rule of the School Bus Conduct Code or Student Code of Conduct is prohibited. After due warning has been given to the student and parents/guardians, transportation privileges may be withheld.

Students responsible for damage to seats or any other parts of the bus may be denied transportation until reimbursement is made to the district.

Flagrant, willful or repeated violation of student conduct regulations or conduct detrimental to safe operation of the bus may constitute habitually disruptive behavior (see Policy JKC). Such behavior shall be reported to the school principal or his/her designee in accordance with district policy JK, Student Discipline, and the corresponding regulation and may result in student suspension or expulsion.

**CODE OF CONDUCT (JICDA)**

Revised June 25, 2020

Subject to the district's responsibility under the Exceptional Children's Education Act and applicable laws and Board policies concerning student suspensions, expulsions, and other disciplinary interventions, the principal or designee may discipline a student who engages in one or more of the following activities while in school facilities, on district property, when being transported in vehicles dispatched by the district or one of its schools, during a school-sponsored or district-sponsored activity or event, and off district property when the conduct has a nexus to school or any district curricular or non-curricular event:

1. Causing or attempting to cause damage to district property or stealing or attempting to steal district property.
2. Causing or attempting to cause damage to private property or stealing or attempting to steal private property.
3. Willful destruction or defacing of district property.
4. Causing or attempting to cause physical injury to another person.
5. Commission of any act which if committed by an adult would be robbery or first or second- degree assault as defined by state law.
6. Violation of criminal law that has an effect on the district or on the general safety or welfare of students or staff.
7. Violation of any Board policy or regulations, or established school rules.
8. Violation of the Board policy on dangerous weapons in the schools. Expulsion shall be mandatory for bringing or possessing a firearm, in accordance with federal law.
9. Violation of the Board's policy on student conduct involving drugs and alcohol.
10. Violation of the Board tobacco-free policy.
11. Violation of the Board's policies prohibiting sexual or other harassment.
12. Violation of the Board's violent and aggressive behavior policy.
13. Violation of the Board's policy on gangs and gang-like activity.
14. Engaging in verbal abuse, i.e., name calling, ethnic or racial slurs, either orally or in writing or derogatory statements addressed publicly to an individual or a group that precipitate disruption of the district or school program or incite violence.
15. Throwing objects, except as part of a supervised school activity, which can cause bodily injury or damage property.
16. Directing profanity, vulgar language, or obscene gestures towards students, school personnel or others.
17. Violation of the Board nondiscrimination policy.
18. Committing extortion, coercion, or blackmail, i.e., obtaining money or other objects of value from an unwilling person or forcing an individual to act through the use of force or threat of force.
19. Lying or giving false information, either verbally or in writing, to a district employee.
20. Scholastic dishonesty, which includes but is not limited to cheating on a test, altering student records, plagiarism, or unauthorized collaboration with another person in preparing written work.
21. Continued willful disobedience or open and persistent defiance of proper authority, including deliberate refusal to obey a member of the district staff.

22. Behavior on or off school property that is detrimental to the welfare or safety of other students or school personnel, including behavior that creates a threat of physical harm to the student exhibiting the behavior or to one or more other students.
23. Repeated interference with the school's ability to provide educational opportunities to other students.
24. Non-compliance with the Board's dress code policy.
25. Engaging in "hazing" activities such as forcing prolonged physical activity, forcing excessive consumption of any substance, forcing prolonged deprivation of sleep, food or drink, or any other behavior, which recklessly endangers the health, or safety of an individual for purposes of initiation into any student group.
26. Violation of the Board bullying prevention and education policy.
27. Making a false accusation of criminal activity against a district employee to law enforcement or to the district.

Each school may also develop concise, clear and reasonable rules and guidelines for acceptable student conduct in that school. These rules shall be consistent with Board policy and with applicable law.

The Code of Conduct shall be provided to each student and the student's parent/guardian upon enrollment in elementary, middle and high school. Copies of the Code of Conduct shall be available in each school of the district. In addition, any significant change in the Code shall be provided to students and made available in each school.

## VIOLENT AND AGGRESSIVE BEHAVIOR (JICDD)

Revised December 6, 2017

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

Students exhibiting violent or aggressive behavior or warning signs of future violent or aggressive behavior shall be subject to appropriate disciplinary action including suspension, 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 report questionable behavior or potentially violent situations to an administrator, counselor or teacher.

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

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

1. Possession, threat with or use of a 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, 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 the need for special education services.



12. Vandalism — damaging or defacing property owned by or in the rightful possession of another.
13. Terrorism — a threat to commit violence communicated with the intent to terrorize or with reckless disregard for the risk of creating such terror or to cause serious public inconvenience, such as the evacuation of a building.

## **BULLYING PREVENTION AND EDUCATION (JICDE)**

Revised November 14, 2012

The Board of Education believes that all students are entitled to a safe and secure school environment, conducive to teaching and learning that is free from threat, harassment, and any type of bullying behavior. The purpose of this policy is to promote consistency of approach and to create a climate in which all types of bullying are regarded as unacceptable.

Bullying is defined as the use of coercion to obtain control over another person or to be habitually cruel to another person. Bullying can occur through written, verbal or electronically transmitted (cyber-bullying) expression or by means of a physical act or gesture. Bullying is prohibited against any student for any reason, including but not limited to any such behavior that is directed toward a student on the basis of his or her academic performance or any basis protected by law, including race, color, ancestry, ethnicity, age, sex (which includes marital status), sexual orientation, national origin, religion, and/or disability, whether such characteristic(s) is actual or perceived. Bullying is prohibited on district property, at district sanctioned activities and events, when students are being transported in any vehicle dispatched by the district or one of its schools, off school property when such conduct has a nexus to school or any district curricular or non-curricular activity or event.

A student who engages in any act of bullying will be subject to appropriate disciplinary action including but not limited to suspension, expulsion and/or referral to law enforcement authorities. The severity and pattern, if any, of the bullying behavior shall be taken into consideration when disciplinary decisions are made.

The district shall develop a comprehensive program to address bullying at all school levels. The program shall be aimed toward accomplishing the following goals:

1. To send a clear message to students, staff, parents and community members that bullying will not be tolerated.
2. To train staff and students in taking proactive steps to prevent bullying from occurring. This includes educating students on acceptable behavior through classroom presentations, counseling and positive support, and restorative practices.
3. To implement procedures for immediate intervention, investigation and confrontation of students engaged in bullying behavior.
4. To make reasonable efforts to change the behavior of students engaged in bullying behaviors through re-education on acceptable behavior, discussions, counseling, and appropriate consequences including disciplinary actions if the bullying behavior persists.
5. To foster a productive partnership with parents and community members in order to help maintain a bully-free environment.
6. To support victims of bullying through individual and/or peer intervention as well as education in prevention methods.
7. To develop peer support networks, social skills, and confidence for all students.
8. To recognize and promote positive, supportive behaviors of students toward one another on a regular basis.

**SCHOOL-RELATED STUDENT PUBLICATIONS (JICEA)**

Revised June 2, 1993

School-sponsored student publications are a public forum for students as well as an educational activity through which students can gain experience in reporting, writing, editing and understanding responsible journalism. Because the Board recognizes creative student expression as an educational benefit of the school experience, it encourages freedom of comment, both oral and written, consistent with an orderly educational environment.

The Board encourages students to express their views in school-sponsored publications and to observe rules for responsible journalism. Responsible journalism means avoiding expression which is false as to any person who is not a public figure or involved in a matter of public concern; which is obscene, libelous, slanderous or defamatory under state law; which creates a clear and present danger of the commission of unlawful acts, violation of school rules or material and substantial disruption of the orderly operation of the school; which violates the privacy rights of others; or which threatens violence to property of persons. Consequently, such expression shall not be permitted.

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

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

All school-sponsored student publications shall contain a disclaimer that expression made by students in the exercise of freedom of speech or freedom of the press is not an expression of Board policy. The school district and employees are provided immunity for civil or criminal penalties for any expression made or published by students.

The superintendent shall develop, for approval by the Board, a written official school publication code, which shall include:

1. A statement of the purposes of official school publications
2. Responsibilities of official school publications' advisors and student editors
3. A list of prohibited materials
4. Reasonable provisions for the time, place and manner of distributing school-sponsored student publications within the school district's jurisdiction
5. Procedures for resolving differences

Teachers of yearbook, journalism or student yearbook classes shall distribute the publications code to their students at the beginning of each semester.

## **STUDENT DISTRIBUTION OF NON-CURRICULAR MATERIALS (JICEC)**

Adopted June 18, 2008 (CASB-July 07)

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

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

Students shall be allowed to distribute non-curricular written materials on school property subject to restrictions on time, place and manner of distribution set out in the accompanying regulations and the prohibitions set out below and in state law.

Any material in any media containing expression which is obscene, pornographic, sexually explicit, libelous, slanderous or defamatory shall be prohibited. Students shall not distribute any material which advocates commission of unlawful acts or violation of Board or district policy and/or regulations, violates another person's right to privacy, causes a material and substantial disruption of the orderly operation of the school, or threatens violence to property or persons. Also prohibited are materials that contain insulting words or words the very expression of which injures or harasses other people and which are inconsistent with the shared values of a civilized social order (e.g. threats of violence or defamation of a person's race, sexual orientation, religion, ethnicity, national origin, etc.).

Students who distribute materials in violation of this policy may be subject to appropriate disciplinary action, including suspension and/or expulsion. School equipment and supplies shall not be used for publication of such material.

**STUDENT EXPRESSION RIGHTS (JICED)**

Adopted June 18, 2008 (CASB-July 07)

While students do not shed their constitutional rights when they enter the school or engage in school-related activities, it is the Board of Education's responsibility to adopt rules reasonably necessary to maintain proper discipline among students and create an effective learning environment.

For purposes of this policy, student expression includes expression in any media, including but not limited to written, oral, visual, audio, and electronic media in all classroom and other school-related activities, assignments, and projects, as well as distribution of non-curricular materials on school grounds and at school events.

Students shall not turn in, present, publish or distribute expression that is disruptive to the classroom environment, disruptive to the maintenance of a safe and orderly school, or pervasively vulgar or harmful to students. This restriction includes, but is not limited to expression which is:

1. Obscene, pornographic or sexually explicit
2. Libelous, slanderous, defamatory, or otherwise unlawful under state law
3. Profane or vulgar
4. False as to any person who is not a public figure or involved in a matter of public concern
5. Creates a clear and present danger of the commission of unlawful acts, the violation of lawful school regulations, or the material and substantial disruption of the orderly operation of the school
6. Violates the rights of others to privacy
7. Threatens violence to property or persons
8. Attacks any person because of race, color, sexual orientation, age, religion, national origin, or disability
9. Tends to create hostility or otherwise disrupt the orderly operation of the educational process
10. Advocates illegal acts of any kind, including the use of illegal drugs, tobacco or alcohol

Violation of this policy shall result in disciplinary action against the student consistent with district student discipline policies.

## **SECRET SOCIETIES/GANG ACTIVITY (JICF)**

Reviewed December 6, 2017

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

The principal or designee shall take reason able steps to deter gang intimidation of students and confrontations between members of different gangs on school grounds, in school vehicles and at school activities or sanctioned events

### **Gang Symbols**

The presence 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 or affiliation with gangs which advocate drug use, violence or disruptive behavior **is prohibited on school grounds, in school vehicles and at school activities or sanctioned events.**

**DRUG AND ALCOHOL INVOLVEMENT BY STUDENTS (JICH)**

Statutory Reference Revisions per CASB January 23, 2014

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

It shall be a violation of Board policy and considered to be behavior detrimental to the welfare or safety of other students or employees for any student to possess, use, sell, distribute or procure or to be under the influence of a controlled substance.

Student use, possession, distribution or sale of alcohol or controlled substances and the abuse of other drugs is prohibited in all district schools and on district property, in district vehicles, and at district activities or sanctioned events.

For purposes of this policy, controlled substances include but are not limited to narcotic drugs, hallucinogenic or mind-altering drugs or substances, amphetamines, barbiturates, stimulants, depressants, marijuana, anabolic steroids, toxic vapors smelled or inhaled for the purpose of causing a condition of euphoria, excitement, exhilaration, stupefaction, or dulled senses of the nervous system, or any other controlled substances as defined in law, or any prescription or nonprescription drug, medication, vitamin or other chemical substances including inhalants not taken in accordance with the Board policy and regulations on administering medicines to students.

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

This policy shall apply to any student who is on district property, in attendance at school, in a district vehicle or taking part in any district sponsored or sanctioned activity or whose conduct at any time or place interferes with the operations of the district or the safety or welfare of students, employees, or school visitors.

Disciplinary sanctions and interventions for violation of this policy shall be in accordance with Board policy concerning student suspension, expulsion and other disciplinary interventions.

Situations in which a student seeks counseling or information from a professional staff member for the purpose of overcoming substance abuse or dependency shall be handled on an individual basis and shall not be considered a violation of this policy. When appropriate, parents/guardians shall be involved and effort made to direct the substance abuser to sources of help.

The Board of Education, in recognition that substance abuse is a community problem, will seek to cooperate actively with any other public organization or agency that shows promise in bringing drug education and intervention to the awareness of students, parents/guardians and the community.

Whenever possible, employees shall provide parents/guardians and students dealing with substance abuse issues with information about education and rehabilitation programs which are available. Information provided to students and/or parents/guardians about community substance abuse treatment programs or other resources shall be accompanied by a disclaimer to clarify that the district assumes no financial responsibility for the expense of drug or alcohol assessment or treatment provided by other agencies or groups unless otherwise required by law. The Board or designee shall conduct a periodic review of its drug prevention program to determine its effectiveness, to implement any required changes and to insure that the disciplinary sanctions required are consistently enforced.

**WEAPONS IN SCHOOLS (JICI)**

Revised June 25, 2020

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

**Dangerous weapons**

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

As used in this policy, "dangerous weapon" means:

- a. A firearm, as defined in Section 921 of Title 18, U.S.C., the "Gun-Free Schools Act," including: a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (b) the frame or receiver of any weapon described above; (c) any firearm muffler or firearm silencer; or (d) any destructive device. A "destructive device," as defined by Section 921 of Title 18, U.S.C., is: (a) any explosive, incendiary, or poison gas, including a bomb; grenade; rocket having a propellant charge of more than four ounces; missile having an explosive or incendiary charge of more than one-quarter ounce; mine; or device similar to the devices described in paragraphs 1-5 of this sub-paragraph a; (b) any type of weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; and (c) any combination or parts either designed or intended for use in converting any device into any destructive device described in sub-paragraphs a and b and from which a destructive device may be readily assembled.
- b. Any pellet, BB gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air.
- c. A fixed blade knife with a blade that exceeds three inches in length.
- d. A spring-loaded knife or a pocket knife with a blade exceeding three and one-half inches in length.
- e. Any object, device, instrument, material, or substance, whether animate or inanimate, that is used or intended to be used to inflict death or serious bodily injury including, but not limited to, a slingshot, bludgeon, nunchucks, brass knuckles or artificial knuckles of any kind.

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

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



**Firearm facsimiles**

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

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

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

**Local restrictions**

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

**Recordkeeping**

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

**Referral to law enforcement**

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

## **STUDENT INTERVIEWS, INTERROGATIONS, SEARCHES AND ARRESTS (JIH)**

Revised September 18, 2013

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

### **Interview by District Administrators**

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

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

### **Searches Conducted by District Employees**

District employees may search a student and/or his property while on district premises or during a district activity in accordance with this policy and may seize any illegal, unauthorized or contraband materials.

Whenever possible, the student shall be informed of the reason(s) for conducting the search prior to the actual search. A student's failure to cooperate with district officials conducting a search shall be considered grounds for disciplinary action.

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

### **Search of District Property**

All lockers, desks, storage, and similar areas provided for student use on district premises are district property and remain at all times under the control of the district. All such lockers, desks, and other storage areas, as well as their contents, are subject to inspection at any time, with or without notice.

No student shall lock or impede access to any locker or storage area except with a lock provided or approved by district officials. Unapproved locks or impediments will be removed and destroyed. Students assume full responsibility for the security of their lockers and storage areas and any loss of or damage to the contents therein.

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

The principal or designee may search the person of a student if the district official has reasonable grounds that the search will uncover the following:

- a. evidence of a violation of Board policies/regulations, school rules, or federal, state, or local laws
- b. anything which, because of its presence, presents an immediate danger of physical harm or illness to any person

Search of the person can include the student's pockets, any object in the student's possession such as a purse, backpack, book bag, or briefcase, and/or a "pat down" and manipulation of the exterior of the students' clothing.

These searches may include removal of extra layers of clothing such as extra shirts, a sweatshirt over another shirt, and jackets. Removal of hats, socks, and shoes is also permitted.

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

Searches of the person shall be conducted out of the presence of other students and as privately as possible. At least one additional person shall witness but not participate in the search. A person of the same gender as the student shall conduct any pat-down portion of the search.

The parent/guardian of any student searched shall be notified of the search as soon as reasonably possible.

Searches of the person that require removal of clothing other than a coat or jacket shall be referred to a law enforcement officer. District employees shall not participate in such searches.

### **Seizure of Items**

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

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

### **Law Enforcement Officer Involvement**

#### **Interrogations and Interviews**

When law enforcement officials find it necessary to question students during the school day or periods of extracurricular activities, the principal or designee shall ascertain that the law enforcement officer has proper identification. Except when law enforcement officers have a warrant or other court order, or when emergency or other exigent circumstances exist, such interrogations and interview are discouraged during students' class time.

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

## **PARKING LOT SEARCHES (JIHB)**

Adopted November 14, 2012

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

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

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

**STUDENT ORGANIZATIONS (JJA)**

Revised May 21, 2014

The Board of Education shall permit the organization and operation of student organizations in schools and shall permit such organizations to meet on school premises during non-instructional time. The purpose of this policy is to establish criteria governing the operation of student organizations. The Thompson School District recognizes two types of student organizations: district sponsored, and student sponsored at the secondary level.

**GENERAL**

Membership in all student organizations shall be on a voluntary basis. Membership is open to and limited to students currently enrolled in the district or in an approved home school program. Student organizations may establish academic qualifications for membership where necessarily related to the purposes of the organization. No student shall be denied membership based on race, color, sex (which includes marital status), sexual orientation, national origin, religion, ancestry, ethnicity, disability and/or any other status protected by law. Qualifications based on gender may be imposed only where necessary to preserve the health, safety, or welfare of students or where gender is a bona fide integral qualification for the activities of the organization.

Fraternities, sororities and/or secret societies shall not receive recognition in any manner under this policy.

All forms of hazing in initiations shall be prohibited in all student organizations. The superintendent or designee shall develop guidelines for the establishment and operation of student organizations. Among other provisions, such guidelines shall require the approval of the principal or designee prior to the formation of any club or organization in a school. The principal or designee shall also identify the procedure for scheduling meetings of student organizations and setting the time and facilities which shall be available for such meetings. These guidelines shall be made available to all students and employees.

All student organizations shall have the right to meet on school premises during non-instructional time as designated by the principal or designee. Subject to limited exceptions, no student organization shall be denied equal access to school facilities during designated meeting times on the basis of the religious, political, philosophical or other content of the speech at the meetings of such organizations. All student organizations shall operate under the fee schedule outlined in Board regulation KF-R.

The district, through the superintendent or designee, retains the authority to prohibit meetings which otherwise would be unlawful. Further, nothing in this policy shall be construed to limit the authority of the district or school to maintain discipline on school premises, to protect the well-being of students and employees and to ensure that attendance at meetings is voluntary.

Student organizations shall not engage in any activity which is contrary to law, Board policy or school rules, which disrupts or clearly threaten to disrupt the orderly operation of the school, or which would adversely affect the health, safety, or welfare of any students or employees. Failure to comply with the provisions set forth in this policy shall be grounds for revocation of the right to continue to meet under this policy.

**DISTRICT SPONSORED STUDENT ORGANIZATIONS**

District sponsored student organizations shall serve as an extension of the regular school curriculum. Their function shall be to enhance the participants' educational experience and to supplement the educational program of the schools. The activities of these organizations shall bear a clear relationship to the regular curriculum. Student organizations shall be considered directly related to the curriculum if one or more of the following applies:

1. The subject matter of the group is actually taught in a regularly offered course.
2. The subject matter of the group concerns the body of knowledge of the discipline as a whole.
3. Participation in the group is required for a particular course.

4. Academic credit or extra credit is given for participation in the group.

District sponsored student organizations will meet at a designated district facility. In recognizing this requirement, the Board authorizes the use of facilities for the purpose of meetings, rehearsals, practices and competitions.

Organizations must have a duly appointed staff sponsor. This would be an advisor or coach who is a district employee and assumes the responsibility of leadership over the organization. The duty of such individuals will be to keep and maintain a record of student participation, attend all meetings, practices or functions on or off district property, to advise and supervise students, and to keep the building principal and the enrichment coordinator informed regarding activities so that they may be included on the district calendar. The sponsor will also communicate with the district as to when activities happen and include them on the school calendar.

In order to help ensure appropriate oversight of school activities and the welfare and safety of employees and students, volunteers working with a district sponsored organization must be registered through the district, background checked, attend the volunteer training session through the Enrichment Office, complete the volunteer/confidentiality agreement and be familiar with the enrichment volunteer handbook. All requirements must be completed prior to the start of the group in accordance with Board policy KJ. This requirement applies to every individual who serves as an authorized volunteer (including parents/guardians) and applies to all volunteer service, whether it is only for a single occasion or will occur on a sporadic or regular basis, and regardless of the program, event or activity involved. A background check shall be conducted by the district, at its expense, as part of the authorized volunteer registration/application review process. This background check requirement is not meant to discourage or offend prospective volunteers, but rather to help ensure the safety and welfare of students. Volunteers may not supervise students without the direction and control of the district staff sponsor.

Organizations must comply with all policies, eligibility requirements, rule and procedures established by the district or established by CHSAA and other associations when applicable and are subject to district supervision and discipline.

District sponsored organizations who intend to travel need to submit paperwork for preapproval at the beginning of the season. Organizations who wish to travel out of state must use commercial transportation. Commercial transportation will not be funded by the district. Groups, students, staff members and volunteers will follow all laws and comply with all Board policies while traveling.

If the district sponsored organization receives or expends monies from students, it shall maintain records documenting all receipts and expenditures, in accordance with Board policy, and may be subject to audits to assure consistency in records at any time throughout the active season and during the calendar year.

Activities by district sponsored organizations and/or their members that constitute district related advertising, including but not limited to sponsorships, fundraisers, endorsements and exclusive provider contracts, are subject to Board Policy KHB.

District sponsored organizations shall be permitted to use the name and mascot of the school(s) they support in connection with activities conducted in accordance with applicable laws, association bylaws and rules, and Board policies and regulations, and approval of the principal or designee.

Student organizations meeting these criteria must sign and complete the "Agreement for Sponsorship" form before the beginning of the season. Upon turning in the form and being approved by the district enrichment coordinator or designee, the organization shall be an officially recognized, district sponsored organization.

**STUDENT SPONSORED ORGANIZATIONS (SECONDARY SCHOOLS) (JJA)**

Revised September 16, 1998

Students shall also be permitted to organize, meet and pursue activities inside and outside of the school curriculum subject to the provisions of this policy. Requests to conduct a curriculum or non-curriculum related student meeting must originate from a student or group of students. Employees, parents and any other persons who are not students enrolled in the school shall be prohibited from directing, controlling, conducting or regularly attending the meetings of such organizations.

Students must request permission for a meeting of a student-sponsored group from the principal or designee and submit all scheduling requests to the principal or designee for approval.

Curriculum or non-curriculum related student-sponsored organizations shall not be deemed to be school-sponsored or endorsed nor are they given all the privileges afforded to district-sponsored organizations. The fact that such organizations shall be permitted equal access to conduct meetings under this policy shall not constitute an expression of district or school support for the purposes of such organizations or the content of any meetings thereof.

Students may conduct meetings under this policy on school premises with the provision that meetings do not interfere with the orderly conduct of the educational activities of the school and only during non-instructional time. For the purposes of this policy, non-instructional time means time set aside by each school before actual classroom instruction begins or after actual classroom instruction ends. Meetings of curriculum and non-curriculum related student sponsored organizations must be scheduled, organized and conducted within the guidelines established by this policy. Attendance at all meetings must be voluntary.

Curriculum and non-curriculum related student-sponsored organizations shall not have an employee sponsor. However, an employee shall serve as a monitor for purposes of general supervision. Students shall be responsible for ensuring the presence of an employee monitor prior to every meeting. No employee shall be compelled to attend a meeting of any student sponsored organization if the content of such meeting is contrary to his/her belief. Employees present at any meeting of a curriculum and non-curriculum-related student-sponsored organization shall attend in a non-participatory capacity only.

Nothing in this policy shall be used to imply that the district or school is sponsoring a curriculum or non-curriculum related student-sponsored organization. No public funding or support shall be extended to any curriculum or non-curriculum related student-sponsored organization other than an opportunity to meet on school premises on an equal basis as other student organizations.

**APPEAL**

When the principal or designee denies the request of a student organization desiring to meet or form in a particular school, the principal or designee shall inform the group of the reason for the denial. The students and/or group shall be given an opportunity to request a review of the principal or designee decision by the superintendent or designee by requesting a review in writing within ten working days of the denial of the request. The decision of the superintendent shall be final.

## **STUDENT DISCIPLINE (JK)**

Revised

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

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

In accordance with applicable law, the Board 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.

Student discipline shall be carried out with dignity and empathy. To ensure equity in discipline, schools will strive to eliminate disproportionality in discipline, reduce exclusionary discipline, create a positive school climate and culture, and incorporate social emotional learning, shared decision-making, positive behavior interventions and supports, and restorative practices.

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/guardians, students and other members of the community in the development and review of the student conduct and discipline code.

### **Remedial discipline plans**

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

### **Discipline of habitually disruptive students**

Students who have caused a material and substantial disruption on school grounds, in a school vehicle or at a school activity or sanctioned 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. No student shall be declared habitually disruptive prior to the development and implementation of a remedial discipline plan.

### **Distribution of conduct and discipline code**

The Code of Conduct shall be provided to each student and the student's parents/guardians upon enrollment in elementary, middle and high school. Copies of the Code of Conduct shall be available in each school of the district. In addition, any significant change in the Code shall be provided to students and made available in each school.



**DISCIPLINE OF STUDENTS WITH DISABILITIES (JK-2)**

Revised February 20, 2008

Students with disabilities are not immune from the district's disciplinary process nor are they entitled to participate in programs when their behavior impairs the education of other students; however, the district will conduct their disciplinary procedures in accordance with the special guidelines for such students prescribed in state and federal regulations. The *Thompson School District Comprehensive Plan for Special Education*, available at the Department of Special Education, should be consulted for specific procedures to use in all disciplinary processes.

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

**Suspension or Disciplinary Change in Placement**

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

Upon the 11<sup>th</sup> school day of suspension or removal in a given school year, when such suspension or removal does not result in a disciplinary change of placement, educational services shall be provided, in an appropriate interim alternative setting, to the extent necessary to enable the student to continue appropriate progress in the general curriculum and towards the goals of the IEP.

**Expulsion/Disciplinary Change in Placement**

Prior to expulsion or other disciplinary change in placement, the student's parent(s) or guardian(s) shall be notified of the decision to take such disciplinary action and of their procedural safeguards.

A review of all relevant material in the student's file shall be conducted by a team including the student's parent(s) or guardian(s) and relevant district staff members to determine whether the student's behavior was a manifestation of his or her disability.

If the review team determines that the student's conduct **was not** a manifestation of the student's disability, disciplinary procedures shall be applied to the student in the same manner as applied to non-disabled students, however the student must continue to receive the educational services determined by the IEP team, as described above. The IEP team may conduct a functional behavioral assessment of the student and develop an appropriate behavioral intervention plan or modify an existing one, if appropriate.

If the review team determines that the student's conduct **was** a manifestation of the student's disability, expulsion proceedings or other disciplinary change of placement shall be discontinued. However, the student's placement may be changed, in accordance with governing law. Within a reasonable amount of time of the manifestation determination, the IEP team must conduct a functional behavioral assessment of the student (or review an existing one) and implement (or modify) the behavior intervention plan.

**Dangerous Students**

School personnel may remove a student with disabilities to an appropriate alternative setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of disability if:

1. The student carried a weapon to or possessed a weapon at school, on school premises, or to or at a school function;
2. The student knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school, on school premises, or at a school function;
3. The student inflicted serious bodily injury upon another person while at school, on school premises, or at a school function;
4. Ordered by a hearing officer.

The student's IEP team shall determine the educational services to be provided to the student in the alternative setting.

### **Students Not Identified as Disabled**

If a student has not been identified as disabled but the district was deemed to have knowledge that he/she may be IDEA-eligible, then this policy will apply to that student until an appropriate determination has been completed. "Was deemed to have knowledge" includes situations where a parent has expressed concern in writing about or requested an evaluation of a child; or when a student's teacher has expressed specific concerns about a child's pattern of behavior directly to the Director of Special Education or other district supervisory personnel. If an IEP team determines that a disability exists, these regulations will continue to apply.

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

## **DISCIPLINE OF STUDENTS WITH DISABILITIES (JK-2-R)**

Revised February 20, 2008

Nothing in these regulations shall prohibit an Individualized Educational Plan (IEP) team from establishing consequences for disruptive or unacceptable behavior as a part of the student's IEP. The plan shall be subject to all procedural safeguards established by the IEP process and shall be in compliance with the Individuals with Disabilities Education Act (IDEA), Education of Exceptional Children Act and Board policy.

### **Change of Placement**

Students with disabilities may be suspended or removed from school for violations of the student code of conduct so long as the removal does not constitute a change in placement.

The following removals result in a disciplinary change of placement:

1. Removal of more than 10 consecutive schooldays.
2. A series of removals up to 10 days each that constitute a pattern because they cumulate to more than 10 school days in a school year and because of such factors as the length of each removal, the total number of days of the removals and the proximity of the removals to one another.
3. Placement in an interim alternative educational setting by the district for up to 45 days for drug or weapons violations.
4. Placement in an interim alternative educational setting by a hearing officer for up to 45 days.

During any removal beyond 10 days in any given school year, services shall be provided to the extent necessary to enable the student to continue to appropriately progress in the general curriculum and appropriately advance toward the goals of the IEP. Once a child has been removed from school beyond 10 days, the district shall conduct a functional behavioral assessment or review and modify an existing behavior intervention plan and review and modify the IEP, if appropriate.

### **Manifestation Determination**

When a disciplinary change in placement is being considered related to a disabled student's behavior, the student's parent, relevant members of the IEP team, and others who are knowledgeable of the student's disability and behavior shall review all relevant information in the student's file. Such a review must take place immediately, if possible, but no later than 10 school days from the date of the decision to take disciplinary action.

The team will determine whether the student's behavior is a manifestation of the disability and whether the student's disability impaired his or her ability to control or understand the impact and consequences of the behavior.

### **Disciplinary Action for Behavior that is Not a Manifestation**

If the team determines that the behavior **was not** a manifestation of the disability, disciplinary procedures shall be applied to the student in the same manner as applied to non-disabled students, and services shall be provided consistent with this policy.

### **Disciplinary Action and/or Alternative Placement for Behavior that is a Manifestation**

If the team determines that the behavior **was** a manifestation of the disability, the student may not be disciplined for such behavior but will be treated in accordance with his or her IEP, any behavioral intervention plan and this policy.

Disabled students carrying weapons, knowingly possessing or using illegal drugs or selling or soliciting the sale of a controlled substance, or inflicting serious bodily injury upon another person at school or at a school function may be unilaterally removed to an alternative educational setting for the same amount of time as would be applied to a non-disabled student, but not more than 45 calendar days in any given schoolyear.

A CDE-appointed hearing officer may order removal to an interim alternative setting for up to 45 calendar days when the district demonstrates by substantial evidence that maintaining the student's current placement is substantially likely to result in injury to the student or others.

The interim alternative educational setting and services to be provided shall be determined by the IEP team and will enable the student to progress in the general curriculum and receive the services, including those on the IEP that will enable the student to meet his or her IEP goals and including services designed to prevent the behavior from recurring.

### **Expedited Hearings**

An expedited due process hearing with a final decision due in no more than 45 days is available when:

1. The parent/guardian disagrees with the IEP team's manifestation determination or with any decision regarding placement.
2. The parent/guardian disagrees with the proposed new placement following an interim alternative educational placement.

An expedited due process hearing with a final decision due in no more than 10 days is available when the district believes it is dangerous for the student to be returned to the previous placement.

During any challenge to a manifestation determination or a placement that is not an interim alternative educational placement; the student will stay in his or her current educational placement.

During any challenge to a placement in an interim alternative educational placement, or to a manifestation determination related to behavior that led to such placement, the student will stay in the interim alternative educational setting pending the decision of the hearing officer but no longer than 45 days unless the hearing officer orders additional days or unless the district and parents agree to additional days.

### **Students not Identified as Disabled**

Students who are not identified as disabled but contend that they should be identified as disabled after discipline is proposed, are subject to the same disciplinary measures applied to children without disabilities unless the district had "knowledge" of the potential disability.

The district is deemed to have "knowledge" when:

1. The parent/guardian has expressed concern in writing that the student needs special education or requested an initial evaluation.
2. The student's behavior or performance has demonstrated a need for special education.

3. The student's teacher or other district personnel have expressed concern about the student's behavior or performance to the director of special education or other district personnel through the district's referral process

If one of the bases for knowledge existed and the district either conducted an evaluation and determined that the student is not a student with disabilities or determined that an evaluation was not required and provided notice to the parent, the district will not be considered to have knowledge of the potential disability.

If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation will be expedited. If the student is determined to be eligible for special education services the district must provide the student with FAPE. Pending results of the evaluation the student remains in the educational placement determined by school authorities.

## USE OF PHYSICAL INTERVENTION (JKA)

Revised April 15, 2015

To maintain a safe learning environment, district employees may, within the scope of their employment and consistent with applicable 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 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 would lead to physical injury to the student or others

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

### Restraint

Restrain 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, physical restraint, chemicals and seclusion. Restraint, however, does not include the holding of a student for less than five minutes by a district employee for the protection of the student or others; brief holding of a student by one adult for the purpose of calming or comforting the student; minimal physical contact for the purpose of safely escorting the student from one area to another; or minimal physical contact for the purpose of assisting the student in completing a task or response.

District employees shall not use restraint as a punitive form of a 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 mechanical restraint or chemical restraint**, as those terms are defined by applicable 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 restraint provisions in this policy and accompanying regulations shall not apply:

1. to peace officers 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; or
2. when the district is engaged in transporting a student from one facility or location to another, and it is within the scope of the district's powers and authority to effect such transportation.

## **DETENTION OF STUDENTS (JKB)**

Revised July 15, 1992

Teachers are authorized to keep students after school for making up work and for meeting other school obligations and shall provide for proper adult supervision of detained students. Students may be detained in school for disciplinary or other reasons for periods of up to one hour in addition to the normal school day.

Teachers imposing detention shall allow students enough time to notify their parents and to make arrangements to adjust their personal commitments to accommodate the detention time. School sponsored extracurricular activities shall not take precedence over detention or other disciplinary actions.

**SUSPENSION/EXPULSION OF STUDENTS (JKD/JKE)**

Revised June 25, 2020

The Board of Education shall provide due process of law to students through written procedures consistent with law and Board policy for the suspension or expulsion of students.

In matters involving student misconduct that may or will result in the student's suspension and/or expulsion, the building principal or designee shall take steps to promptly notify and engage the student's parent/guardian in the disciplinary procedures to the greatest extent possible.

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

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

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

**Definitions**

1. "Suspension" means the exclusion of a student from attending school and participating in school activities for a specified and limited period of time, unless student contact with the district is otherwise authorized by the school or district administration.
2. "Expulsion" means the exclusion of a student from attending school and participating in school activities for a specified period of time beyond that provided for suspension but not to exceed one calendar year, unless student contact with the district is otherwise authorized by the school or district administration. Expulsion of a student with disabilities does not include a cessation of all educational services.
3. "In-school suspension" means a suspension in which the student is suspended from participation in regular school activities but receives continuous educational instruction, supervision and discipline (see Board Policy JKDA).
4. "Classroom removal" means the exclusion of a student from the classroom by a teacher for causing a material and substantial disruption in the classroom through behavior that is initiated, willful and overt on the part of the student.
5. "Student with disabilities" means a student for whom a determination of disability has been made by a duly convened staffing committee in accordance with state and federal laws governing the education of children with disabilities (see Board Policy JK-2).
6. "Informal hearing" means an opportunity for a student to be informed of the evidence and to explain the student's position regarding the incident constituting grounds for discipline. An informal hearing does not include representation by counsel, the ability to confront and cross-examine witnesses, or to call witnesses to verify the student's version of the incident.



## Delegation of Suspension Authority

**1. Students in third grade and higher grade levels:** The Board of Education delegates to the principals of the school district or to a person designated in writing by the principal the authority to suspend a student in that school for not more than five school days on the grounds stated in C.R.S. 22-33-106 (1)(a), (1)(b), (1)(c) or (1)(e) or not more than 10 school days on the grounds stated in C.R.S. 22-33-106 (1)(d) unless expulsion is mandatory under law JKD/JKE-E as set forth in Board Exhibit JKD/JKE-E, Grounds for Suspension/Expulsion.

## 2. Students in preschool through second grade levels

a. The Board of Education delegates to the principals of the school district or to a person designated in writing by the principal the power to suspend a student in preschool, kindergarten, first grade, or second grade in that school for not more than three school days on the grounds stated in C.R.S. 22-33-106.1 (2), unless the principal or designee determines that a longer period of suspension is necessary to resolve the safety threat or expulsion is mandatory under law (see JKD/JKE-E).

b. In accordance with applicable law and Board policy, before suspending or expelling the student in preschool, kindergarten, first grade, or second grade, the Board and its designee(s) shall determine that failure to remove the student from the school building through suspension and/or expulsion would create a safety threat that otherwise cannot be addressed, and shall document any alternative behavioral and disciplinary interventions that it employs.

c. The principal or designee may suspend or recommend expulsion of a student in preschool, kindergarten, first grade, or second grade who engages in one or more of the following activities while on district property, in a school building, in a district or school vehicle, at a district or school activity or event, or off district property when the conduct has a nexus to school or any district curricular or non-curricular event:

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

3. The superintendent or designee, in accordance with C.R.S. 22-33-105 and 22-33-106.1 (3), may extend a suspension for up to 10 additional school days, and another 10 school days if necessary in order to present the issue of expulsion to the Board. The total period of suspension shall not exceed 25 consecutive school days.

## Alternatives to Suspension

Principals and their designees will exercise their best professional judgment in deciding whether an out-of-school-suspension is necessary in consequence of a student's misconduct so as to ensure the safety of other students and staff, minimize disruptions to the educational environment, and support a positive school climate conducive to learning.

In lieu of an out-of-school suspension and in accordance with applicable law, the principal or designee may consider the use of available interventions to address a student's misconduct. The use of such interventions will vary, depending upon the facts and circumstances of an individual case. Alternatives to suspension are encouraged when safety, order, and a positive school climate can be maintained without the necessity of out-of-school suspension. Such interventions shall be at the principal's or designee's sole discretion and include but are not limited to:

Loss of school privileges, in-school suspension, classroom removal, counseling, restorative justice, positive behavioral intervention support (PBIS), peer mediation, behavior plan support, restitution, community or school service, referral for community support, or other approaches to address the student's misconduct that do not involve an out-of-school suspension and minimize the student's exposure to the criminal and

juvenile justice system.

Nothing in this policy shall limit the Board's and its designees' authority to suspend and/or expel a student as the Board and its designees deem appropriate and compliant with applicable laws.

### **Expulsion Authority**

Unless otherwise determined by the Board, the Board of Education delegates to the superintendent of schools or superintendent's designee the authority to serve as a hearing officer and delegates to the superintendent the authority to deny admission to or expel for any period not extending beyond one year any student whom the superintendent, in accordance with the limitations imposed by Title 22, Article 33, of the Colorado Revised Statutes, shall determine does not qualify for admission to or continued attendance at the public schools of the district. If the hearing is conducted by a designee serving as a hearing officer, the hearing officer shall prepare findings of fact and recommendations for the superintendent at the conclusion of the hearing. The superintendent shall render a written opinion within five days after the hearing.

The superintendent shall report on each case acted upon at the next meeting of the Board, briefly describing the circumstances and the reasons for action taken.

The decision of the superintendent to deny admission or to expel a student may be appealed upon written request of the student or parent/guardian to the Board. Upon a request for an appeal, the Board will determine the procedure to be utilized and will promptly advise the student and parents/guardians of the procedure involved.

### **Unlawful Sexual Behavior or Crime of Violence**

When a petition is filed in juvenile court or district court that alleges a student between the ages of 12 to 18 years has committed an offense that would constitute unlawful sexual behavior or a crime of violence if committed by an adult, basic identification information, as defined in state law, along with the details of the alleged delinquent act or offense, is required by law to be provided immediately to the school district in which the juvenile is enrolled.

The information shall be used by the Board of Education or designee to determine whether the student has exhibited behavior that is detrimental to the safety, welfare, and morals of the other students or school personnel and whether educating the student in the school may disrupt the learning environment in the school, provide a negative example for other students, or create a dangerous and unsafe environment for students, teachers, and other school personnel. The Board or designee shall take appropriate disciplinary action, which may include suspension or expulsion, in accordance with this policy.

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

**EDUCATIONAL ALTERNATIVES FOR EXPELLED STUDENTS (JKF)**

Revised September 18, 2013

Upon request of a student or the student's parent/guardian, the district shall provide educational services deemed appropriate by the district for any student expelled from the district. The educational services will be designed to enable the student to return to a district school in which the student was enrolled prior to expulsion, to successfully complete the GED, or to enroll in a non-public, non-parochial school or in an alternative school.

Educational services includes tutoring, alternative educational programs, including on-line programs authorized by state law, or career and technical education programs that provide instruction in the academic areas of reading, writing, mathematics, science and social studies. In addition to educational services, the student or parent/guardian may request any of the services provided by the district through agreements with state agencies and community organizations for at-risk students.

The district shall determine the amount of credit the student shall receive toward graduation for the educational services provided.

Educational services provided by the district shall be designed to provide a second chance for the student to succeed in achieving an education. While receiving educational services, a student may be suspended or expelled pursuant to the conduct and discipline code of the district. Except as required by federal law for special education students, any student who is suspended or expelled while receiving educational services pursuant to this policy shall not receive further services until the period of suspension or expulsion is completed.

The educational services may be provided directly by the district or through agreements with state agencies and community organizations entered into pursuant to state law. The services need not be provided on district property.

Students who are expelled for conduct or behavior involving a threat of harm to district students or employees shall be served through a home-study course or in an alternative school setting designed to address such conduct or behavior, at the discretion of the district.

The superintendent may apply for monies through the expelled and at-risk student services grant program established by Colorado law or any other grant programs to assist in providing such services.

All expelled students receiving services will be included in the district's pupil enrollment, including those expelled prior to the pupil enrollment count date.

**EXPULSION PREVENTION (JKG)**

Revised September 18, 2013

It is the belief of the Board of Education that available interventions and preventions services should be explored to help students who are at risk of expulsion before expulsion becomes a necessary consequence. Expulsion shall be regarded as a punishment of last resort unless a student's behavior would cause imminent harm to others in the school, or when federal law or the conduct and discipline codes require automatic expulsion. The principal of each school shall work with the professional staff to identify students who are at risk of suspension or expulsion. Students who may be at risk are those who have or are likely to be declared habitually truant or habitually disruptive.

Working with the student's parent/guardian, the district shall provide students who are identified as at risk of suspension with information about support services needed to help them avoid expulsion. Such services may include:

1. educational services (tutoring, alternative educational programs or vocational programs that provide instruction in the academic areas of reading, writing, mathematics, science and social studies)
2. counseling services
3. drug or alcohol addiction programs
4. family preservation services

In some cases, a remedial discipline plan may be the means by which various intervention and prevention services are identified and made available to a student. Support services may be provided through agreements with appropriate local governmental agencies, appropriate state agencies, community-based organization and institutions of higher education. All such agreements shall utilize standardized forms that have been reviewed by legal counsel.

The failure of the district to identify a student for participation in an expulsion prevention program or the failure of such program to remediate a student's behavior shall not be grounds to prevent school employees from proceeding with appropriate disciplinary measures.

## **IMMUNIZATION OF STUDENTS (JLCB)**

Revised April 18, 2012

The Board directs the superintendent or designee(s) to annually provide parents/guardians of each student enrolled in the district a copy of the standardized immunization document developed by the Colorado Department of Public Health and Environment. The standardized immunization document includes a list of required and recommended immunizations and the age at which each immunization should be given.

No student is permitted to attend or continue to attend any school in this district without meeting the legal requirements of immunization against disease unless the student has a valid exemption for health, religious, personal or other reasons as provided by law.

Students who do not submit an up-to-date certificate of immunization or a written authorization signed by one parent/guardian requesting local health officials to administer the immunizations or a valid exemption will be suspended and/or expelled from school according to regulation JLCB-R.

All information distributed to parents/guardians by the district will inform them of their rights to seek an exemption from immunization requirements.

*Note: See State Department of Health regulations.*

**ADMINISTERING MEDICINE TO STUDENTS (JLCD)**

Revised December 6, 2017

School personnel shall not administer prescription or nonprescription medications to students unless appropriate administration cannot reasonably be accomplished outside of school hours and the student's parent/guardian is not available to administer the medication during the school day.

Medication may be administered to students by school personnel whom a registered nurse has trained and delegated the task of administering such medication. For purposes of this policy, the term "medication" includes both prescription medication and nonprescription medication, but does not include medical marijuana, hemp oil, cannabinoid oil products, or essential oils

The administration of Medical Marijuana, Hemp oils, and/or Cannabinoid Products shall be in accordance with the Board's policy JLCDB.

The term "nonprescription medication" includes but is not limited to over-the-counter medications, homeopathic and herbal medications, vitamins and nutritional supplements.

Medication may be administered to students by the school nurse or other school designee only when the following requirements are met:

1. Medication shall be in the original properly labeled container. If it is a prescription medication, the student's name, name of the medication, dosage, how often it is to be administered, and name of the prescribing health care practitioner shall be printed on the container.
2. The school shall have received written permission to administer the medication from the student's health care practitioner with prescriptive authority under Colorado law.
3. The school shall have received written permission from the student's parent/guardian to administer the medication to the student.
4. The parent/guardian shall be responsible for providing all medication to be administered to the student.

**For Non-Prescription Medications (not administered by school personnel)**

For non-prescription medications, a student will have to provide the school with a written, signed note from his/her parent or guardian granting permission for the student to take the medication at school.

At no time should a student have in his/her possession more than one day's dosage of any such medication. The medication shall be in the original, properly labeled container.

**Self-administration of Certain Prescription Medications**

Students with asthma, severe allergies, or other related, life-threatening conditions may possess and self-administer related medications to treat the student's asthma, food or other allergy, anaphylaxis or related, life-threatening condition. After authorization by the school nurse and the student's parent/guardian, self-administration of such medication may occur during school hours, at school-sponsored activities, or while in transit to and from school or a school-sponsored activity.

Authorization for a student to possess and self-administer medication to treat the student's asthma, food or other allergy, anaphylaxis or other related, life-threatening condition may be limited or revoked by the school principal after consultation with the school nurse and the student's parent/guardian if the student

demonstrates an inability to responsibly possess and self-administer such medication. The student may be subject to disciplinary consequences, including suspension and/or expulsion for abuse of this privilege.

**STUDENTS WITH FOOD ALLERGIES (JLCDA)**

Adopted June 2, 2010

The Board of Education recognizes that many students are being diagnosed with potentially life-threatening food allergies. To address this issue and meet state law requirements concerning the management of food allergies and anaphylaxis among students, the Board sets forth the following requirements.

**Health Care Plan**

The school nurse, or a school administrator in consultation with the school nurse, shall develop and implement a health care plan (plan) for each student with a diagnosis of a potentially life-threatening food allergy. The plan shall address communication between the school and emergency medical services, including instructions for emergency medical responders. If a student qualifies as a student with a disability in accordance with federal law, the student's Section 504 plan, Individualized Education Program (IEP), and/or other plan developed in accordance with applicable federal law shall meet this requirement.

**Reasonable Accommodations**

Reasonable accommodations shall be made to reduce the student's exposure to agents that may cause anaphylaxis within the school environment. If a student qualifies as a student with a disability in accordance with federal law, the student's Section 504 plan, IEP, and/or other plan developed in accordance with applicable federal law shall meet this requirement.

**Access to Emergency Medications**

Emergency medications for treatment of the student's food allergies or anaphylaxis shall be kept in a secure location accessible to designated school staff. Whenever possible and in a timely fashion, the student's parent/legal guardian shall supply the school with the medication needed for treatment of the student's food allergies or anaphylaxis, unless the student is authorized to self-carry such medication in accordance with Board policy JLCD, Administering Medication to Students.

**Staff Training**

The principal or equivalent school administrator, in consultation with the school nurse, shall determine the appropriate recipients of emergency anaphylaxis treatment training, which shall include those staff directly involved with a student who has a known food allergy during the school day. At a minimum, the training shall prepare staff to have a basic understanding of food allergies and the importance of reasonable avoidance of agents that may cause anaphylaxis, the ability to recognize symptoms of anaphylaxis, and the ability to respond appropriately when a student suffers an anaphylactic reaction. The training shall also include instruction in the administration of self-injectable epinephrine.



## **MEDICAID REIMBURSEMENT (JLCG)**

Revised June 2001

In all cases in which a student is enrolled in the Colorado Medicaid program, the district shall seek reimbursement for health-related services rendered by qualified district staff. District staff shall make a reasonable effort to coordinate care with the student's health care provider to avoid duplication of services.

As a Medicaid provider, the district shall access Medicaid eligibility information for students from Health Care Policy and Financing (HCPF). HCPF is the designated Medicaid agency for the state of Colorado.

Directory information, including names, dates of birth and gender will be released to HCPF to verify Medicaid eligibility of students. The description of health services delivered and information needed to complete claims shall be released to Medicaid and/or the district-billing agent for proper administration of the program.

The district shall obtain written consent annually from parents/guardians before the release of any non-directory information required for billing. To accomplish this, the district shall include a consent form in its "start of school" information each fall and in its packet of IEP materials.

All ongoing health and related services shall be rendered by qualified district staff pursuant to an individual health service plan signed by a professional qualified to provide the types of services described in the plan. The plan may be an Individual Education Plan (IEP), Individual Family Services Plan (IFSP), Section 504 Accommodation Plan or any individual health services plan.

A dated record of all transactions shall be kept on file at the school office.

**SCREENING/TESTING OF STUDENTS (JLDAC)**  
(And Treatment of Mental Disorders)

Revised November 14, 2012

Parents/guardians and eligible students have the right to review, upon request, any survey, assessment, analysis or evaluation administered or distributed by a school to students whether created by the district or a third party. For purposes of this policy, “eligible student” means a student 18 years of age or older or an emancipated minor. Any survey, assessment, analysis or evaluation administered or distributed by a school to students shall be subject to applicable state and federal laws protecting the confidentiality of student records.

**Survey, Assessment, Analysis or Evaluation for Which Consent is Required**

Except as otherwise permitted by law, students shall not be required to submit to a survey, assessment, analysis, or evaluation that is intended to reveal information, whether the information is personally identifiable or not, without prior written consent of the parent/guardian or eligible student, if that survey, assessment, analysis, or evaluation reveals information in the following areas (“protected information”):

1. political affiliations or beliefs of the student or the student’s parent/guardian
2. mental or psychological conditions of the student or the student’s family
3. sexual behavior or attitudes
4. illegal, anti-social, self-incriminating or demeaning behavior
5. critical appraisals of other individuals with whom the student has a close family relationship
6. legally recognized privileged or analogous relationships, such as those with lawyers, physicians and ministers
7. religious practices, affiliations or beliefs of the student or the student’s parent/guardian
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program)
9. Social Security number

District employees responsible for administering any such survey, assessment, analysis or evaluation shall give written notice at least two weeks in advance to the student's parent/guardian or the eligible student and shall make a copy of the document available for viewing at convenient times and locations. The notice shall offer to provide the following written information upon request:

1. records or information that may be examined and required in the survey, assessment, analysis or evaluation
2. means by which the records or information shall be examined, reviewed, or disseminated
3. means by which the information is to be obtained
4. purposes for which the records or information are needed
5. entities or persons, regardless of affiliation, who will have access to the information
6. method by which a parent/guardian can grant or deny permission to access or examine the records or information

These notice provisions also apply to any survey, analysis or evaluation funded by the U.S. Department of Education.

### **Exceptions to Policy**

Nothing in this section of the policy shall:

1. prevent a student who is working under the supervision of a journalism teacher or sponsor from preparing or participating in a survey, assessment, analysis or evaluation without obtaining consent as long as such participation is not otherwise prohibited by law
2. be construed to prevent a district employee from reporting known or suspected child abuse or neglect as required by state law
3. be construed to limit the ability of a health professional that is acting as an agent of the district to evaluate an individual child
4. be construed to require parental notice or consent for a survey, assessment, analysis or evaluation related to educational products or services for or to students or educational institutions. These products and services include, but are not limited to, the following:
  - college or other postsecondary education recruitment or military recruitment activities
  - book clubs, magazines and programs providing access to low-cost literary products
  - curriculum and instructional materials used by schools
  - tests and assessments used by schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students
  - sale by students of products or services to raise funds for school-related or education-related activities
  - student recognition programs
5. be construed to require parental notice or consent for assessments used to collect evidence of what a student knows and is able to do and to measure a student's academic progress toward attaining a content standard
6. limit the ability of the district to administer a suicide assessment or threat assessment

### **Surveys, Assessment, Analysis or Evaluation for Marketing Purposes**

Parents/guardians and eligible students shall receive notice and have the opportunity to opt a student out of activities involving the collection, disclosure or use of personal information collected from the student for the purpose of marketing or selling that information or otherwise providing the information to others for that purpose.

### **Annual Notice**

At the beginning of each academic year, the district shall inform parents/guardians and eligible students that the parent/guardian or eligible student has the right to consent before students are required to submit to a survey that concerns one or more of the protected areas and to opt out of the following:

1. activities involving the collection, disclosure or use of personal information collected from students for the purpose of marketing or for selling that information
2. administration of any protected information survey
3. any non-emergency, invasive physical examination or screening that is:
  - required as a condition of attendance
  - administered by the school and scheduled by the school in advance
  - not necessary to protect the immediate health and safety of the student or of other students

**Psychiatric/Psychological/Behavior Testing Methods or Procedures**

District employees are prohibited under state law from recommending or requiring the use of psychotropic drugs for students. They are also prohibited from testing or requiring testing for a student's behavior without giving notice to the parent/guardian describing the recommended testing and how any test results will be used. Prior to conducting any such testing, district employees shall obtain written permission from the parent/guardian or eligible student in accordance with applicable law.

District employees are encouraged to discuss concerns about a student's behavior with the parent/guardian, and such discussions may include a suggestion that the parent/guardian speak with an appropriate health care professional regarding any behavior concerns that district employees may have. Only those persons appropriately certified or licensed may expose students to any psychiatric or psychological method or procedure for the purpose of diagnosis, assessment or treatment of any emotional, behavioral or mental disorder or disability. Such methods or procedures may only be performed after acquiring written permission from a student's parent/guardian, or from the student in those circumstances in which federal or state law allows the student to obtain such services in confidence or without prior notice to the parent/guardian.

Licensed district employees are encouraged to be knowledgeable about psychiatric or psychological methods and procedures but shall not be involved in any diagnosis, assessment or treatment of any type of mental disorder or disability unless appropriately certified. In accordance with state law, district employees including certified school psychologists are not authorized to practice psychotherapy or utilize any psychiatric or psychological procedure outside of or beyond their area of training, experience or competence.

Ordinary classroom instruction, activities and techniques involving the approved curriculum that teach about psychological or psychiatric methods or procedures shall be permissible and considered outside the scope of this policy. It is understood that there is a significant difference between practicing therapy and providing activities that may be therapeutic in nature. Any teacher who questions whether a planned activity is one involving psychiatric or psychological methods or procedures for which the teacher may not be properly certified or licensed shall consult with the school principal.

**Special Education Evaluation**

The giving of parental permission for evaluation or re-evaluation of a student with disabilities and any required consent to the provision of special education services to a student with disabilities is governed by state and federal law and is outside the scope of this policy.

## **NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA) (JLDAC-E)**

Adopted July, 2008 (CASB)

**PPRA affords parents/guardians certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:**

1. Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”), if the survey is funded in whole or in part by a program of the U.S. Department of Education(ED):
  - a. Political affiliations or beliefs of the student or student’s parent/guardian.
  - b. Mental or psychological problems of the student or student’s family.
  - c. Sex behavior or attitudes.
  - d. Illegal, anti-social, self-incriminating, or demeaning behavior.
  - e. Critical appraisals of others with whom respondents have close family relationships.
  - f. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers.
  - g. Religious practices, affiliations, or beliefs of the student or parents/guardians.
  - h. Income, other than as required by law to determine program eligibility.
2. Receive notice and an opportunity to opt a student out of:
  - a. Any other protected information survey, regardless of funding.
  - b. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student.
  - c. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
3. Inspect, upon request and before administration or use:
  - a. Protected information surveys of students.
  - b. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes.
  - c. Instructional material used as part of the educational curriculum.

These rights transfer from the parents/guardians to a student who is 18 years old or an emancipated minor (“eligible student”) under state law.

The district will develop and adopt policies, in consultation with parents/guardians, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.

The district will directly notify parents/guardians of these policies at least annually at the start of each school year and after any substantive changes. The district will also directly notify, such as through U.S. Mail or electronic mail, parents/guardians of students who are scheduled to participate in the specific activities or surveys noted above and will provide an opportunity for the parent/guardian to opt his or her child out of participation in the specific activity or survey. The district will make this notification to parents/guardians at the beginning of the school year if the district has identified the specific or approximate dates of the activities or surveys at that time.

For surveys and activities scheduled after the school year starts, parents/guardians will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents/guardians will also be provided an opportunity to review any pertinent surveys.

Following is a list of the specific activities and surveys covered under this requirement:

1. Collection, disclosure, or use of personal information for marketing, sales or other distribution.
2. Administration of any protected information survey not funded in whole or in part by ED.
3. Any non-emergency, invasive physical examination or screening as described above.

Parents/guardians and eligible students who believe their rights have been violated may file a complaint with:

*Family Policy Compliance Office*  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5901

## **REPORTING CHILD ABUSE/CHILD PROTECTION (JLF)**

Revised April 12, 2000

It is the policy of the Board of Education that the school district complies with the Child Protection Act and with the mandatory reporting requirements of that act.

To that end, any school official or employee who has reasonable cause to know or suspect that a child has been subject to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect, as defined by statute, shall immediately report or cause a report to be made to the County Department of Social Services or local law enforcement agency. All school officials and employees are affirmatively charged with familiarizing themselves with these reporting requirements. Failure to report promptly may result in civil and/or criminal liability. A person who reports child abuse or neglect in good faith is immune from civil or criminal liability.

Reports of child abuse or neglect, the name and address of the child, family or informant or any other identifying information in the report shall be confidential and shall not be public information.

The Board shall provide periodic in-service programs for all teachers in order to provide them with information about the Child Protection Act and appropriate legislation, to assist them in recognizing and reporting instances of child abuse and to instruct them on how to assist victims and their families.

School employees and officials shall not contact the child's family or any other persons to determine the cause of the suspected abuse or neglect.

It is not the responsibility of the school official or employee to prove that the child has been abused or neglected.

The superintendent shall submit such procedures as are necessary to the Board for approval to accomplish the intent of this policy.

**REPORTING CHILD ABUSE (JLF-R)**

Revised December 11, 2002

**Definition of Abuse or Neglect**

The Child Protection Act of 1987 contains the following definition of child abuse or neglect:

- A. Child abuse or neglect is defined as an act or omission in one of the following categories, which threatens the health or welfare of a child:
1. Any case in which a child exhibits evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bone, subdural hematoma, soft tissue swelling, or death, and such condition or death is not justifiably explained, or where the history given concerning such condition or death is at variance with the degree or type of such condition or death; or when circumstances indicate that such condition or death may not be the product of an accidental occurrence.
  2. Any case in which a child is subjected to unlawful sexual behavior as defined in state law.
  3. Any case in which a child's parents, legal guardians or custodians fail to take the same actions or to provide adequate food, clothing, shelter, medical care or supervision that a prudent parent would take.
  4. Any case in which a child is subjected to emotional abuse, which results in an identifiable and substantial impairment of the child's intellectual or psychological functioning or development or a substantial risk or impairment of the child's intellectual or psychological functioning or development.
  5. Any case in which, in the presence of a child, on the premises where a child is found, or where a child resides, a controlled substance, as defined by law, is manufactured or attempted to be manufactured.
  6. Any act or omission described as neglect in state law, specifically:
    - a. A parent, guardian or legal custodian has abandoned the child or has subjected him or her to mistreatment or abuse or allowed another to mistreat or abuse the child without taking lawful means to stop such mistreatment or abuse and prevent it from recurring.
    - b. The child lacks proper parental care through the actions or omissions of the parent, guardian or legal custodian.
    - c. A parent, guardian or legal custodian fails or refuses to provide the child with proper or necessary subsistence, education, medical care or any other care necessary for his or her health, guidance or well-being.
    - d. The child is homeless, without proper care or not domiciled with his or her parent, guardian or legal custodian through no fault of such parent, guardian or legal custodian.
    - e. The child has run away from home or is otherwise beyond the control of his or her parent, guardian or legal custodian.
    - f. A parent, guardian or legal custodian has subjected another child or children to an identifiable pattern of habitual abuse and the parent, guardian or legal custodian has been the respondent in another proceeding in which a court has adjudicated another child to be neglected or dependent based upon allegations of sexual or physical abuse or has determined that such parent's, guardian's or legal custodian's abuse or neglect cause the death of another child; and the pattern of habitual abuse and the type of abuse pose a current threat to the child.

An act of a teacher or other school employee is not considered child abuse if the act was performed in good faith and in compliance with the school district's discipline code, or if the act was an appropriate expression of affection or emotional support.



## **School Employee's Legal Responsibility**

Any school employee who suspects abuse or neglect has a legal responsibility immediately upon receiving such information to report or cause a report to be made to County Social Services or the appropriate law enforcement agency. A willful violation of the reporting requirements is a class three misdemeanor and may, upon conviction, result in a fine not to exceed \$750, a maximum penalty of six months imprisonment, or both, as well as liability for damages proximately caused. A person making a good faith report is immune from criminal or civil liability and employment sanctions.

School employees have a legal responsibility to maintain confidentiality concerning reports of child abuse and neglect. Child abuse or neglect reports must be kept in a confidential file.

## **Reporting Child Abuse and Neglect**

1. Any school official or employee who has reasonable cause to know or suspect that a child has been subject to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect, as defined by statute, shall immediately report or cause a report to be made to the County Department of Social Services.
2. School Employee:
  - a. Suspects abuse or neglect.
  - b. Informs the building principal that a report is being made.
  - c. Calls the Department of Social Services, Child Protection Unit(679-4490).
  - d. Completes district-reporting form. (Send original to Social Services, one copy to building principal and one copy to school social worker at CentralOffice.)
3. A school employee is not required to investigate the incident, and the employee should not contact the child's family or any other person to determine the cause of the suspected abuse or neglect. The employee may inquire of the child, however, how an injury occurred. A school employee's reasonable cause to suspect that a child has been subjected to abuse or neglect may arise from a child's vague or inconsistent response to such an inquiry, or from an explanation, which does not fit the injury.
4. After the report is made to the County Department of Social Services, district and school staff members will make themselves available for meeting with the agency's representative to facilitate communication. The school will report any further incidents of abuse or neglect to the agency's representative.
5. School personnel are required by law to make both an oral and a written report of suspected child abuse or neglect. Every effort should be made to report the suspicion immediately. This will help facilitate investigations in a timely manner for the safety of the child. In an emergency situation, law enforcement officials have the legal authority to take custody of the child. In other situations, a court order must be obtained to legally withhold a child from his parent or guardian.
6. Once a report of child abuse is given to the County Social Services, the responsibility for investigation and follow-up lies with that agency. It is not the responsibility of the school staff to investigate the case. Therefore, the school staff will not engage in the following activities:
  - a. Make home visits for investigative purposes.

- b. Take the child for medical treatment (this does not preclude taking action in an emergency situation).
  - c. Convey messages between the agency and the parents/guardians.
7. School health and other educational records may only be released as part of an investigation if furnished in compliance with a judicial order or pursuant to a lawfully issued subpoena.

**SEX OFFENDER INFORMATION (JLFF)**

Adopted November 17, 2004

At the beginning of each school year, the district shall provide written information to parents and eligible students identifying where and how community members may obtain information related to registered sex offenders that has been collected by law enforcement agencies. This information will also be posted on the district's web site.

**STUDENT FEES, FINES AND CHARGES (JQ)**

Revised March 4, 2009

Students shall not be charged a 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 allowed by law. However, state law allows the district to require students to pay textbook fees, fees for expendable materials and other miscellaneous fees.

The district will not furnish expendables such as pencils, crayons, notebooks and incidentals necessary for students' personal work. Teachers shall use good judgement in requiring or requesting students to supply notebooks, specialized tools and paper and shall only require them to furnish reasonably priced, standard sorts of materials.

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 resolution and shall not be spent for any other purpose.

Any information publicizing any fee authorized under this policy shall specify whether the fee is voluntary or mandatory and the specific activity from which a student will be excluded if the fee is not paid.

**Instructional Materials Fees and Fines**

The district loans textbooks to students. Students may be asked to pay a non-refundable rental fee reasonably related to the actual cost of some or all of the textbooks provided to them. Rental fees shall be adopted by the Board each spring for the following school year. Fees for expendable instructional materials shall be adopted at the same time. No rental fee will be assessed for classroom reference materials or library books.

It is expected that students shall return textbooks to the school in good condition, except for ordinary wear. Students shall be assessed fines for lost, damaged or defaced books, materials or equipment, including items checked out from the media center. The fines will be for the amount of the loss.

If the district has made a reasonable effort to obtain payment for lost or damaged textbooks or materials checked out from the media center to no avail, it may withhold the diploma, transcript or grades of any student who has failed to return or replace them by the end of the semester or the school year. The district may also deny the privilege of participating in the graduation ceremony to students who have failed to return or replace such items by the date of the ceremony. Parents or guardians of such students may, however, view their records and make copies of them at their own expense, in accordance with federal law.

Students who have difficulty in paying fines may arrange for alternative payment methods such as installment plans or school service. No student shall be refused the use of textbooks because of failure to pay the required fees.

**Fees for Extra Supplies and Materials**

The district may charge fees for specific classes that consume more supplies and materials than normal classroom instruction or result in projects that become the personal property of a student or his family.

**Various School and Activity Fees**

Students may be asked to pay fees voluntarily as a condition of participating in or attending a school-sponsored activity or program that is not within the academic portion of the educational program.

Upon the recommendation of the superintendent, the Board shall approve fees for the use of school-owned items such as lockers, choral robes, band uniforms and musical instruments.

Students participating in a school activity which is not required by their teacher or used in determining a grade may be required to pay charges covering the cost of the activity. Such charges may include, but are not limited to, entrance or admission fees, meals and lodging. The transportation costs of academically related field trips cannot be charged. The teacher and principal should make every effort to see that no student who wishes to participate is denied the opportunity to take part 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, but only those students who use the district transportation services shall be required to pay such a fee.

### **Waiver of Fees**

Indigent students shall not be required to pay textbook rental or expendable materials fees, fines for lost or damaged books or other charges and fees, including any transportation fee. An indigent student is defined as any child who is eligible for a free or reduced price lunch under the federal poverty income guidelines. Students qualifying for a fee waiver will receive it without unnecessary embarrassment or public exposure of their need.

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. Interested parties may contact individual schools or district administration to learn the purpose of each fee and how the amount was determined.

The fee schedule shall inform parents how to apply for a waiver of fees, whether fees are voluntary or mandatory and the specific activity from which a student will be excluded if a fee is not paid.

**STUDENT RECORDS/RELEASE OF INFORMATION ON STUDENTS (JRA/JRC)**

Revised August 21, 2013

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

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

**Content and Custody of Records/Information**

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

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

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

School employees who share disciplinary and attendance information concerning a student pursuant to this policy are immune from civil and criminal liability if they act in good faith compliance with state law.

All requests for inspection and review of student education records and requests for copies of such records, as well as disclosure of personally identifiable information except as provided by law, shall be maintained as a part of each student's record.

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

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

**Access to Records by Parent/Legal Guardian/Custodian of Record and Eligible Students**

A parent/legal guardian/custodian of record ("parent") has the right to inspect and review their child's education records. However, if a student is 18 years old or older ("eligible student"), the student may inspect or review his or her own records and provide written consent for disclosure of such records and personally identifiable information therein. If an eligible student is a dependent for federal income tax purposes, the parent also is entitled to access his/her child's educational records despite the lack of written consent from the eligible student or the disclosure is in connection with a health or safety emergency.

**Transferring Records to Other School Districts/Post-Secondary Institutions**

Student records, including disciplinary records, may be transferred without consent to officials of another school, school system, or post-secondary institution that has requested the records and in which the student seeks or intends to enroll. The district will provide a copy of the record to the eligible student or student's parents if so requested.

### **Requesting and Receiving Information and Records from State Agencies**

Within the bounds of state law, district employees shall seek to obtain such information regarding students as is required to perform their legal duties and responsibilities, including protecting public safety and the safety of the student. Such information may be obtained from the judicial department or any state agency that performs duties and functions under the Colorado Children's Code.

District employees receiving such information shall use it only in the performance of their legal duties and responsibilities and shall otherwise maintain the confidentiality of all information obtained. School employees who knowingly violate this provision are subject to disciplinary action pursuant to Board policy and to a civil penalty of up to \$1,000.

If such information is shared with another school or school district to which a student may be transferring, it shall only be shared in compliance with the requirements of federal law, including the Family Education Rights and Privacy Act of 1974 ("FERPA").

When a petition is filed in juvenile court or district court that alleges a student between the ages of 12 and 18 years has committed an offense that would constitute unlawful sexual behavior or a crime of violence if committed by an adult, basic identification information, as defined in state law, along with the details of the alleged delinquent act or offense, is required by law to be provided immediately to the school district in which the juvenile is enrolled.

The information shall be used by the Board to determine whether the student has exhibited behavior that is detrimental to the safety, welfare, and morals of the other students or school employees and whether educating the student in the school may disrupt the learning environment in the school, provide a negative example for other students, or create a dangerous and unsafe environment for students and employees. The Board shall take appropriate disciplinary action, which may include suspension or expulsion, in accordance with the student code of conduct and related policies.

### **Request to Amend Education Records**

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

### **Disclosure with Written Consent**

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

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

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

All signed consent forms shall be retained by the district.

### **Disclosure without Written Consent**

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

1. The disclosure is to a school official having a legitimate educational interest in the student education record or the personally identifiable information contained therein. In accordance with law, only those school officials who have a legitimate educational interest as described in this policy shall be permitted access to specific student education records.
  - a. For purposes of this policy, a "school official" is a person employed by the district as an administrator, supervisor, teacher or support staff member; a person serving on the Board of Education; a person or company with whom the district has contracted to perform specialized tasks (such as attorneys, auditors, consultants and health care providers); or a parent or student serving on an official committee or assisting another school official in performing his or her tasks.
  - b. A school official has a "legitimate educational interest" if disclosure to the official is: (1) necessary for that official to perform appropriate tasks that are specified in his or her position description or by a contract agreement; (2) used within the context of official district business and not for purposes extraneous to the official's areas of responsibility; (3) relevant to the accomplishment of some task or to a determination about the student; and (4) consistent with the purposes for which the data are maintained.
2. The disclosure is to officials of another school, school system or postsecondary institution that has requested the records and in which the student seeks or intends to enroll, or has enrolled. Any records sent during the student's application or transfer period may be supplemented, updated or corrected as necessary.
3. The disclosure is to authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education or state and local educational authorities.
4. The disclosure is in connection with a student's application for, or receipt of, financial aid.
5. The disclosure is to state and local officials and concerns the juvenile justice system's ability to effectively serve, prior to adjudication, the student whose records are disclosed as provided under the Colorado Open Records Act and Colorado Children's Code. Such records and personally identifiable information shall only be disclosed upon written certification by the officials that the records and information will not be disclosed to any other party, except as specifically authorized or required by law, without the prior written consent of the parent or eligible student.
6. The disclosure is to organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate or administer predictive tests; to administer student aid programs; or to improve instruction.
7. The disclosure is to accrediting organizations for accrediting functions.
8. The disclosure is to the parent of an eligible student and the student is a dependent for IRS for tax purposes.
9. The disclosure is in connection with an emergency, if knowledge of the information is necessary to protect the health or safety of the student or others.
10. The disclosure is to comply with a judicial order or lawful subpoena. Unless specified in the order of subpoena, the district shall make a reasonable effort to notify the parent or eligible student prior to complying with the order or subpoena.
11. The disclosure is of "directory information" as defined by this policy.

### **Disclosure of Disciplinary Information to School Personnel**



In accordance with state law, the principal or designee shall communicate disciplinary information concerning any student enrolled in the school to any teacher who has direct contact with the student in the classroom and to any counselor who has direct contact with the student.

Any teacher or counselor to whom disciplinary information is reported shall maintain the confidentiality of the information and shall not communicate it to any other person. The principal or designee is required to inform the student and the student's parent when disciplinary information is communicated and to provide a copy of the disciplinary information. The student and/or the student's parent may challenge the accuracy of such disciplinary information through the process outlined in JRA/JRC-E.

### **Disclosure to Military Recruiting Officers**

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

### **Disclosure to Medicaid**

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

### **Disclosure to Criminal Justice Agencies**

The superintendent or designee is authorized by law to share disciplinary and attendance information with a criminal justice agency investigating a criminal matter concerning a student enrolled or who will enroll in the district when necessary to effectively serve the student prior to adjudication. Such information shall only be shared upon written certification by the criminal justice agency that the information will not be disclosed to any other party, except as specifically authorized or required by law, without the prior written consent of the student's parent.

### **Disclosure to the Colorado Commission on Higher Education (CCHE)**

On or before December 31 of each school year, the district shall disclose to the CCHE the names and mailing addresses of those students enrolled in the eighth grade for use in mailing the notice of postsecondary educational opportunities and higher education admission guidelines as required by state law.

### **Disclosure to Other Parties**

Except as noted in this policy, student records will not be released to other individuals and parties without a written request and authorization of the parent or eligible student.

### **Disclosure of Directory Information**

The district may disclose directory information without written consent of the parent or eligible student. The parent or eligible student has the right to refuse to permit the designation of any or all of the categories of directory information if such refusal is received in writing in the office of the principal of the school where the student is in attendance no later than September 7 or the following Monday if September 7 falls on a weekend.

"Directory information" means information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information which may be released includes but is not limited to the student's name, e-mail address, photograph, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, grade level, enrollment status, degrees, honors and awards received, the most recent previous education agency or institution attended by the student, and other similar information. Directory information also includes a student identification number or other unique personal identifier displayed on a student ID badge or used by the student to access or communicate in electronic systems, but only if the identifier cannot be used to gain access to student education records except when used

in conjunction with one or more factors that authenticate the user's identity, such as a password known only by the authorized user.

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

### **Annual Notification of Rights**

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

A copy of FERPA and this policy may be obtained from the office of the superintendent during normal business hours.

### **Governing Law**

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

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

**STUDENT RECORDS/RELEASE OF INFORMATION ON STUDENTS (JRA/JRC-E)**  
**(Notification to Parents/Legal Guardians/Custodians of Record and Students of Rights**  
**Concerning Student Education Records)**

Revised June 19, 2013

The Family Educational Rights and Privacy Act ("FERPA") and Colorado law afford parents/legal guardians/custodians of record ("parent") and students over 18 years of age ("eligible students") certain rights with respect to the student's education records, as follows:

1. The right to inspect and review the student's education records within three (3) days of the district receiving a request for access.

A parent or eligible student making such a request must submit to the school principal (or appropriate school official) a written request that identifies the record (s) they wish to inspect. The principal (or appropriate school official) will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

The parent or eligible student shall examine the student's education records in the presence of the principal and/or other person(s) designated by the principal. The record itself shall not be taken from the district building.

During inspection and review of student education records by a parent or eligible student and when requested by them, the principal will provide personnel necessary to give explanations and interpretations of the records.

Upon request, one copy of the record shall be provided within a reasonable time to the parent or eligible student at a cost not to exceed .25 per page.

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading or otherwise violate the privacy rights of the student.

A parent or eligible student may ask the district to amend a record they believe is inaccurate, misleading or otherwise violates the privacy rights of the student by writing to the school principal (or appropriate school official) within 10 days of the date records were first examined, clearly identifying the part of the record they want changed and specifying why it is inaccurate, misleading or otherwise violates the privacy rights of the student.

If the principal, after consulting with other persons having relevant information, decides not to amend the record as requested, the principal will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

A request for a formal hearing must be made in writing and addressed to the superintendent of schools. The district response to the request shall be mailed within ten (10) school days. The hearing shall be held in accordance with the following:

- a. The hearing will be held within fifteen (15) school days after receipt of the request. Notice of the date, place and time of the hearing will be forwarded to the parent or eligible student by certified mail.

- b. The hearing will be conducted by a principal or higher administrative official as designated in writing by the superintendent. The official conducting the hearing shall not be the principal who made the initial decision nor shall it be anyone with a direct interest in the outcome of the hearing.
  - c. Parent or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of their choice at their own expense, including an attorney.
  - d. The official designated above shall make a decision in writing within ten (10) school days following the conclusion of the hearing and shall notify the parent or eligible student of that decision by certified mail.
  - e. The decision of the official shall be based upon the evidence presented at the hearing and shall include a summary of the evidence and the reason for the decision.
  - f. The decision shall include a statement informing the parents or eligible student of their right to place in the student records a statement commenting upon the information in the records and/or setting forth any reason for disagreement. Any explanation placed in the records shall be maintained by the district. If the student record is disclosed by the school to any other party, the explanation shall also be disclosed to that party.
3. The right to privacy of personally identifiable information contained in the student's education records, except to the extent that FERPA and state law authorize disclosure without consent.

The district may disclose group scholastic achievement data from which the individual cannot be identified without written consent of the parent or eligible student.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office, U.S. Department of Education

400 Maryland Avenue, SW, Washington, DC 20202-4605

5. The right to refuse to permit the designation of any or all of the categories of directory information.
6. The right to request that information not be provided to military recruiting officers. Names, addresses and home telephone numbers as well as directory information of secondary school students will be released to military recruiting officers within ninety (90) days of the request unless a student submits a written request that such information not be released.

## STUDENT ACCEPTABLE TECHNOLOGY USE POLICY & AGREEMENT (JS)

Revised October 16, 2019

### Purpose:

The purpose of this agreement is to ensure that the use of Thompson School District (TSD) technology including hardware, software, communications (i.e, email, texting, chat, etc.), and network resources is consistent with Colorado and U.S. law and the district's objectives. Students that use district technology resources accessed from any location or device, including personal technology devices, are required to adhere to the terms of this agreement. TSD reserves the right to modify terms and conditions at any time. The latest version is available from the district website at [www.thompsonschoools.org](http://www.thompsonschoools.org).

### Introduction:

Students need the ability to use technology skillfully, wisely, and safely to be informed citizens, post secondary students, and/or future employees. As a fundamental part of their education, TSD provides access to district computers, communications systems, the Internet, student accounts, applications, and an array of other technology resources to promote educational excellence, innovation, and communication. Technology includes all district owned hardware, software, network access, and other related digital or physical resources and accessories. Technology integration in curriculum is a vital component of a quality education. Access to the Internet enables students to use learning management systems, digital curriculum, and extensive online libraries and databases. Online digital tools allow students to collaborate and share information electronically in ways that reflect how people work together in the real world and allows the district to teach digital citizenship and responsible use of technology.

In addition to curricular uses, technical systems are essential for school and district communications, enhanced productivity, and providing information with the local community, including parents, social service agencies, government agencies, and businesses.

The use of TSD technology should be used for educational purposes only. With access to information and people all over the world comes the possibility of accessing material that may not be considered to be of educational value in the context of the school setting. The district has taken precautions to restrict access to inappropriate or offensive materials. Network firewalls, restrictions, and filters are in use that meet CIPA (*Children's Internet Protection Act*) mandates, but it is very difficult to control the quality of all materials that might be accessed. We firmly believe that the value of information and interaction available through the network far outweighs the possibility that users may encounter material that is not consistent with educational purposes.

### Requirements:

There are two categories of educational technology. The first is Required Curricular Technology. It is essential for the delivery of core academic content that a student must learn to advance to the next grade or graduate from high school. Modern curriculum is infused with technology.

Much of it is delivered online. So denying a student access to the needed technology would be tantamount to denying them equal access to the curriculum. **All technologies used for curricular purposes are required unless they are specifically listed in the optional Enhanced Technology category. Technologies that are neither curricular or educationally enhancing in nature are prohibited.**

Some examples of required curricular technologies include the following:

- Centrally Managed Devices Issued to Students (i.e. iPads, Chromebooks & Laptops)
- Digital Curriculum and Textbooks (i.e. Science, Math, Social Studies, Language Arts)
- Learning Management Systems (i.e. schoology, Google Classroom, Blackboard)
- Subject Specific Practice Applications (i.e. mathematics drill & practice, language)

- Productivity and Organization Applications (i.e. word processor, calendar, presentation)
- Teacher-Student School Communications (i.e. email, gradebook, feedback)
- Internet Access (i.e. research, cloud storage, cloud-based applications)

The second category of educational technology is Enhancing Technology. This technology can improve the educational experience of classroom learning, clubs, or sports teams. Parents may opt their students out of this technology category, but doing so may prohibit their student from full participation in the affected activity. The following technologies are included in this category:

- Teacher-Parent-Student messaging applications
- Digital communication applications designed for team sports and/or clubs
- Sports performance analyzing and recruiting applications
- 3D printers and associated design software
- Physical education fitness monitors
- Standardized assessment technology
- Teacher-led communications outside of the district with other schools, students, and/or experts through video conferencing, online discussions, and community forums

This agreement contains guidelines to make students and guardians aware of the responsibilities expected of students as TSD technology users. The signatures (online or hard copy) at the end of this document are binding and indicate the parties who signed it have read the terms and conditions carefully and understand their significance.

#### Proper and Acceptable Use of All Technology Resources:

Users are expected to abide by the generally accepted rules of network and email etiquette and to conduct themselves in a responsible, ethical, and polite manner while utilizing network and email resources. All district technology resources, including but not limited to, district computers, communications systems (Communication systems include email, websites, cell phones, social media, text messaging, instant messaging, blogging, podcasting, email lists, and/or other emerging technologies) and the network, must be used in a manner consistent with the educational mission and objectives of TSD.

*Using technology for activities that are permitted and encouraged include:*

1. Completing school work;
2. Creating and presenting original academic work;
3. Researching topics being studied in school;
4. Researching opportunities outside of school related to community service, employment, or further education.
5. Publishing of student work online;
6. Engaging in distance learning experiences;
7. Completing online assessments;
8. Under district staff supervision, engaging in online collaborative educational projects using blogs, wikis, or other collaborative tools;
9. Under district staff supervision, engaging in electronic discussions with students, teachers, and experts outside the classroom;
10. Sharing or exchanging school-related files with students/teachers;
11. Completing online/Internet based college or financial aid applications using district technology resources;
12. Downloading educational videos, podcasts, simulations, or content;
13. Following District virus protection procedures;
14. Following any individual school's or teacher's instruction for Internet use that may be imposed in addition to this policy.

*Activities that are not permitted when using district or personal technologies include but are not limited to:*

1. Engaging in any illegal act or violation of any local, state, or federal statute or law;
2. Unauthorized access, modification, or encryption of any school district data;
3. Attempting and/or using Internet proxy servers for any purpose;
4. Possessing key logging or other monitoring devices, software, or malicious code;
5. Network monitoring or packet capturing;
6. Logging in or attempting to login as another user, with or without their consent or knowledge;
7. Purchasing apps or other online products using someone else's account or credentials;
8. Using a computer that is already logged in with someone else's credentials;
9. Computer vandalism, either physical or virtual;
10. Storing personal/non school related music and/or video collections on district file servers;
11. Loading unauthorized applications or software on district computers or other devices;
12. Attaching a wireless access point to the network or configuring a device (phone, laptop, etc.) to act as the same;
13. Configuring any district device to join an Internet bittorrent or other like system;
14. Enabling remote access to any district computer system;
15. Attempting to defeat district filtering software in any way;
16. Executing programs from removable media without prior approval by an authorized adult;
17. Violating copyright laws, including plagiarism and file downloads;
18. Accessing, reviewing, uploading, downloading, storing, printing, posting, transmitting, or distributing materials that
  - uses language or images that are inappropriate in the educational setting or disruptive to the educational process or posting information or materials that could cause damage or danger of disruption;
  - are pornographic, obscene, or sexually explicit material;
  - uses language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination;
19. Knowingly or recklessly posting false or defamatory information about a person or organization or harassing another person or engaging in personal attacks, including prejudicial or discriminatory attacks;
20. Inciting violence or school disruption;
21. Using the network or email in a way that disrupts the use of the network by others. Abuse of resources is prohibited, such as the sending of annoying or unnecessary messages to a large number of people or other functions that might restrict or interrupt data flow;
22. Alteration of technology equipment setup, configuration, or intended use.

#### Safety:

As part of the district's dedication to providing a safe digital environment:

1. Students should not reveal personal information, such as passwords, home address, or phone number;
2. Students should not use their last name online unless it is part of a secure district provided account;
3. Students should not provide information that might allow another person to locate him or her unless the student has permission of a district employee to do so;
4. Students shall not arrange face-to-face meetings with persons met on the Internet or through electronic communications;
5. Staff are not allowed to share personal student data such as full name and student number in unencrypted electronic communications. TSD domain Google email is encrypted.

Students are expected to report harassment, threats, hate-speech, and inappropriate content to a teacher,  
Thompson School District

counselor, or administrator. If a student has any questions about whether a specific activity is permitted, he or she should ask immediately.

**Vandalism:**

Any intentional act by a student that damages district technology including but not limited to hardware, software, operating systems, network systems, or data will be considered vandalism and will be subject to school rules, disciplinary procedures, and possible criminal prosecution. Any intentional act that requires repair or replacement of district technologies or data is also considered vandalism.

**Reliability and Limitations of Liability:**

TSD makes no warranties of any kind, expressed or implied, for the technology resources it provides to students. TSD will not be responsible for any damages suffered by the student, including those arising from non-deliveries, misdeliveries, service interruptions, unauthorized use, loss of data, and exposure to potentially harmful or inappropriate material or people. Use of any information obtained via the Internet or communications technologies, is at the student's own risk. District use of Internet resources does not imply endorsement of content and/or advertisements. TSD specifically denies any responsibility for the accuracy or quality of information obtained through the Internet. The student and his/her parent/guardian will indemnify and hold TSD harmless from any losses sustained as the result of use and/or misuse of the district's technology resources by the student.

**Privacy:**

Students should not share passwords with other students. Although electronic communication and information is generally treated as private property, users on the district network do not have personal rights of privacy in anything they create, receive, send, or store on or through the network, on district computer systems, or through district- provided email accounts. Authorized personnel (which may include a student's parents or legal guardians) may review files and documents to maintain system integrity and ensure that users are using the system responsibly. The principal or designee also may review files, documents, email, or communication forums. Documents, files or emails related to or in support of illegal activities may be reported to the authorities.

**Consequences:**

Any violation of this policy will result in serious consequences which may include loss of computer privileges up to one year, dismissal from computer related classes, loss of all Internet/network and/or email access, a temporary ban from computer labs, and/or other consequences imposed by school district policies and/or local, state or federal law, where applicable.

**Annual Agreement**  
**(this is also available through the online registration system)**

Student: I understand and will abide by the Board policy on Technology Use. I further understand that any violation of the regulations above is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked, and school disciplinary action and/or appropriate legal action may be taken.

Student User's **Full Name:**

\_\_\_\_\_

Grade or Graduation Yr. \_\_\_\_\_

Student User's **Signature:**



Date: \_\_\_\_\_

Parent or Guardian: I hereby certify that I have read the Student Acceptable Technology Use Policy & Agreement and discussed it with my student. I understand that use of technology in the Thompson School District is meant for educational purposes only. Thompson School District has taken precautions to eliminate inappropriate material, and students will not access unfiltered materials. I also recognize it is impossible for Thompson School District to restrict access to all inappropriate materials, and I will not hold the district responsible for materials acquired on the network nor will I hold the school district responsible for any financial obligations arising from unauthorized use of technology. Further, I accept full responsibility for my child's technology use when not in a school setting, or when using personal technology devices while on or near a school campus.

Parent or Guardian's **Full Name**: (Please Print):

Parent or Guardian's **Signature** (If user is under 18 years of age):

Date: \_\_\_\_\_

\* If parents/guardians wish to opt their student out of using the second category of educational technology (Enhancing Technology), it is done so by separately writing to the student's school principal or the district's Chief Technology Officer.

#### Guidelines and Regulations for Home Use and Loaned Technology:

These guidelines and procedures are necessary for each student and parent/guardian to understand and student to follow in order to help make the use of technology, and especially iPads/Chromebooks, safe and successful.

#### Home Use:

Outside of school, parents bear responsibility for the same supervision and guidance of students online as they exercise with other information sources such as television, telephones, radio, movies and other possibly offensive media. Parents are responsible for monitoring their student's use of any district provided systems and/or electronic resources from home or another remote location.

TSD does not provide internet access for home use; however, parents are encouraged to review options for low income families found at

- [www.xfinity.com/support/internet/comcast-broadband-opportunity-program](http://www.xfinity.com/support/internet/comcast-broadband-opportunity-program)
- [www.centurylink.com/aboutus/community/community-development/lifeline.html](http://www.centurylink.com/aboutus/community/community-development/lifeline.html) as affordable options for those that qualify. Since the district does not provide filtering for home use, parents/guardians are encouraged to set up their own parental controls on their own home networks. Parental controls can be configured on all major internet service providers such as
- [www.xfinity.com/support/internet/set-up-parental-controls-with-comcast-networking](http://www.xfinity.com/support/internet/set-up-parental-controls-with-comcast-networking)
- <https://internethelp.centurylink.com/internethelp/security-parental-controls.html>.

#### Loaned Technology:

In some schools, technology will be loaned out to students for home use. When this occurs, the following

guidelines apply.

#### A. Terms of Student Technology Loans

1. TSD will issue technology (i.e. iPads, cords, charging adapters, keyboards, Chromebooks) to students after they have registered or re-registered for school each school year and after they have signed this *Student Acceptable Technology Use Agreement*.
2. TSD retains ownership of issued technology such as iPads, Chromebooks, or software.
3. Students may be subject to loss of privileges, disciplinary action, legal action and/or be financially responsible for the replacement cost of the loaned technology in the event of negligent or malicious damage and/or violation of the Acceptable Technology Use Agreement.
4. A student's possession of district owned technology terminates upon withdrawal from TSD or no later than the last day of school, unless there is a reason for later/earlier termination as determined by the principal or district. At that time, all loaned devices, cases, accessories, chargers, cords and other loaned technology must be returned to the school/district.

#### B. Damage, Loss, or Theft

The school covers the cost of reasonable repairs for accidental damages. Accidental damage is not negligent or malicious damage. If loaned technology is damaged, school administration will determine if it is accidental, negligent, or malicious damage. If damages are not found to be negligent or malicious, the district will repair the damages under warranty. Any incidents of damage beyond accidental may become the responsibility of the student's family to pay for as a fine to cover the costs of repair. For example, damages to an iPad that was not in its case because a student removed the case would be deemed neglectful and subject to a repair fine.

The district does not cover the cost of loss, theft, negligence, and abuse of loaned equipment (i.e. iPad/Chromebook) and accessories. For example, throwing an iPad or using the iPad as an umbrella would be considered examples of neglect and abuse. If a device needs to be replaced due to loss, theft (out of school or unsupervised), neglect, or abuse, it is the family's financial responsibility to replace the device at the district's current replacement cost.

#### ***Decision chart in case of damage, loss, or theft:***

<b>Accidental**</b> <i>Student accidentally broke or damaged equipment</i>	<b>Negligent*</b> <i>Student negligently damaged, broke, or lost equipment</i>	<b>Malicious*</b> <i>Student purposely damaged, broke, or stole equipment</i>
Incident #1 and #2 per school year = no fine  Incident #3+ = raised to <i>Negligent</i> level and mandatory administration meeting with student.  There will be no school discipline consequences.	Fine issued and mandatory administration meeting with student (amount of fine depends on any repair/replacement costs).  School discipline consequences are possible.	Fine issued and mandatory administration meeting with student (amount of fine depends on any repair or replacement costs).  School discipline consequences are likely.

*\*As determined by an investigation by school administration.*

*\*\*TSD's warranty covers manufacturer defects and breakage of iPads in cases. Wear and tear replacements*

*are at no-cost and do not count as an accidental damage incident.*

The student or parent/ guardian is required to immediately notify a member of the school or technology support team in all cases of stolen or lost loaned equipment. The technology support team and administration may be able to assist in relocating the equipment if they are notified immediately.

1. *Parents/Guardians are responsible for filing a police report if loaned equipment was stolen from their student while the student was not at school or being directly supervised by school personnel.*
2. *Parents/Guardians are responsible for the replacement cost of a lost or stolen loaned equipment. The only exception to this rule is if the equipment was stolen while under the direct responsibility and supervision of a district staff member.*
3. *Students are advised to use their Google Drive account to backup their data to mitigate the consequences of lost or damaged hardware.*

#### C. Repossession

TSD reserves the right to repossess technology at any time.

#### D. Appropriation

All TSD issued equipment is the sole property of the school district. Any items not returned within 30 days of the last day of enrollment or the last day of the school year may be considered stolen property. Failure to return issued technology (such as iPads/Chromebooks and accessories) in a timely manner will be referred to law enforcement. If referred to law enforcement, stolen property charges may be filed.

#### E. Modification to the Program

TSD reserves the right to modify the terms of loaned technology use at any time.

#### F. Device Cases

Devices (i.e. iPads or Chromebooks) loaned to students must keep in a district-approved case at all times. Cases are provided for all loaned iPads with charger and cord. These district-provided cases must be returned to the district in a similar condition to when they were issued upon return of the iPad, cord, and charger. Some Chromebook types also have district provided cases. This depends on the model. Ask your school for details on the model they use. Students are discouraged from drawing on device cases or putting stickers on them.

#### G. General Care of Loaned Technology

Do not do anything that will permanently alter the equipment in any way. This includes “jailbreaking” and even adding stickers to it. Technology in need of repair must be reported to a teacher or another member of the technology support team. General guidelines to follow:

1. Minimizing the number of photos and movies on a device will increase performance.
2. Backup your files on a regular basis to external storage such as Google Drive.
3. Do not write, draw, paint, place stickers or labels or otherwise deface loaned technology or its case.
4. Remember, loaned iPads/chromebooks are the property of TSD and should always be left it in a district-approved case if the device type has a fitted case available.
5. Never put weight, such as a pile of books, on a device like an iPad or chromebook.
6. Liquids, food and other debris can damage devices. Avoid eating or drinking while using them.
7. Take care when inserting and removing cords to avoid damage to the ports and cables.
8. Charge loaned devices at night before school the next day.
9. Do not expose technology to extreme temperatures, direct sunlight, or ultraviolet light for long or extended periods of time. Extreme heat or cold may cause damage. If the device has been in a cold or hot environment for a long period of time, let it reach room temperature before using it.
10. NEVER leave loaned technology outside or in a vehicle.

H. General Security

1. Never leave devices unsecured. Devices should be locked in a designated area or secured when not in use.
2. Students are expected to maintain the security of loaned technology, even during after- school activities. Unsupervised devices will be confiscated by staff, and disciplinary actions may be taken.
3. Each device has several identifying labels, including the district identification label (also known as the asset tag). Under no circumstances are you to modify, remove, or destroy these labels.

I. End of the Year Collection Procedure

Loaned Technology including cords, chargers, and cases will be returned on the date designated by the principal and the technology support team. If a student is leaving TSD, they will return all loaned technology and accessories on or before the date of withdrawal.

**Agreement (this is also available through the online registration system):**

I understand and will abide by the Board policy on Technology Use. I further understand that any violation of the regulations above is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked, and school disciplinary action and/or appropriate legal action may be taken.

Student User's Full Name:

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Grade or Graduation Yr. \_\_\_\_\_ Student User's Signature:

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Date: \_\_\_\_\_

Parent or Guardian:

I hereby certify that I have read the Student Acceptable Technology Use Policy & Agreement and discussed it with my student. I understand that use of technology in the Thompson School District is meant for educational purposes only. Thompson School District has taken precautions to eliminate inappropriate material, and students will not access unfiltered materials. I also recognize it is impossible for Thompson School District to restrict access to all inappropriate materials, and I will not hold the district responsible for materials acquired on the network nor will I hold the school district responsible for any financial obligations arising from unauthorized use of technology. Further, I accept full responsibility for my child's technology use when not in a school setting, or when using personal technology devices while on or near school campus.

Parent or Guardian's Name: (Please Print):

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Parent or Guardian's Signature (If user is under 18 years of age):

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\* If parents/guardians wish to opt their student out of using the second category of educational technology (Enhancing Technology), it is done so by separately writing to the student's school

principal or the Executive Director of TSD Technology Services.

## **Guidelines and Regulations for Home Use and Loaned Technology:**

These guidelines and procedures are necessary for each student and parent/guardian to understand and student to follow in order to help make the use of technology, and especially iPads/Chromebooks, safe and successful.

### **Home Use:**

Outside of school, parents bear responsibility for the same supervision and guidance of students online as they exercise with other information sources such as television, telephones, radio, movies and other possibly offensive media. Parents are responsible for monitoring their student's use of any district provided systems and/or electronic resources from home or another remote location.

TSD does not provide internet access for home use; however, parents are encouraged to review options for low income families found at <https://www.xfinity.com/support/internet/comcast-broadband-opportunity-program> and <http://www.centurylink.com/aboutus/community/community-development/lifeline.html> as affordable options for those that qualify. Since the district does not provide filtering for home use, parents/guardians are encouraged to set up their own parental controls on their own home networks. Parental controls can be configured on all major internet service providers such at <https://www.xfinity.com/support/internet/set-up-parental-controls-with-comcast-networking> and <https://internethelp.centurylink.com/internethelp/security-parental-controls.html>.

### **Loaned Technology:**

In some schools, technology will be loaned out to students for home use. When this occurs, the following guidelines apply.

#### **A. Terms of Student Technology Loans**

1. TSD will issue technology (i.e. iPads, cords, charging adapters, keyboards, Chromebooks) to students upon compliance with the following:
  - a. Submission of the signed Responsible Technology Use Agreement and,
  - b. Payment of any school issued, non-refundable, technology fees or waiver if the student is qualified for free/reduced lunch by or within one month after the fee due date.
2. TSD retains ownership of issued technology such as iPads, Chromebooks, or software.
3. Students may be subject to loss of privilege, disciplinary action, legal action and/or be financially responsible for the replacement cost of the loaned technology in the event of negligent or malicious damage and/or violation of the Acceptable Technology Use Agreement.
4. A student's possession of district owned technology terminates upon withdrawal from TSD or no later than the last day of school, unless there is a reason for later/earlier termination as determined by the principal or district. At that time, all loaned devices, cases, accessories, chargers, cords and other loaned technology must be returned to the school/district.
5. Students with demonstrated financial need may be granted a waiver of any annual Technology Fees. Contact the district registrar for a qualification decision. In order to qualify for a waiver, the student must:
  - a. Qualify for the federal free or reduced price lunch program (<http://www.fns.usda.gov/school-meals/income-eligibility-guidelines>) no later than one month after a fee has been levied;
  - b. Provide the digital (at time of online application) or signed Information Release Form to the district's Nutrition Services Department or the school office;

- c. Or provide substantial proof of extenuating hardship circumstances.

#### B. Damage, Loss, or Theft

Any possible technology fees are issued by the school and are used for ongoing maintenance and software applications. The fee also insures loaned technology for the cost of repairs for accidental damages. Accidental damage is not negligent or malicious damage. If loaned technology is damaged, school administration will determine if it is accidental, negligent, or malicious damage. If damages are not found to be negligent or malicious, the Technology Services Department will repair the damages under warranty. Any incidents of damage beyond accidental may become the responsibility of the student's family to pay for as a fine to cover the costs of repair. If the student's family has not paid any issued technology fees, they are responsible for all repair costs deemed neglectful or malicious in nature. For example, damages to an iPad that was not in its case because a student removed the case would be deemed neglectful and subject to a repair fine.

Any possible fees do not cover loss, theft, negligence, and abuse of loaned equipment (i.e. iPad/Chromebook) and accessories. For example, throwing an iPad or using the iPad as an umbrella would be considered examples of neglect and abuse. If an iPad needs to be replaced due to loss, theft (out of school or unsupervised), neglect, or abuse, it is the family's financial responsibility to replace the iPad at the district's current replacement cost.

#### Decision chart in case of a damage, loss, or theft:

<b>Accidental* **</b> <i>Student accidentally broke or damaged equipment</i>	<b>Negligent*</b> <i>Student negligently damaged, broke, or lost equipment</i>	<b>Malicious*</b> <i>Student purposely damaged, broke, or stole equipment</i>
<p>Incident #1 and #2 per school year = no fine</p> <p>Incident #3+ = raised to <i>Negligent</i> level and mandatory administration meeting with student.</p> <p>There will be no school discipline consequences.</p>	<p>Fine issued and mandatory administration meeting with student (amount of fine depends on any repair/replacement costs).</p> <p>School discipline consequences are possible.</p>	<p>Fine issued and mandatory administration meeting with student (amount of fine depends on any repair or replacement costs).</p> <p>School discipline consequences are likely.</p>

*\*As determined by an investigation by school administration.*

*\*\*TSD' warranty covers manufacturer defects and breakage of iPads in cases. Wear and tear replacements are at no-cost and do not count as an accidental damage incident.*

The student or parent/ guardian is required to immediately notify a member of the school or technology support team in all cases of stolen or lost loaned equipment. The technology support team and administration may be able to assist in relocating the equipment if they are notified immediately.

- 1. Parents/Guardians are responsible for filing a police report if loaned equipment was stolen from their student while the student was not at school or being directly supervised by school personnel.*
- 2. Parents/Guardians are responsible for the replacement cost of a lost or stolen loaned equipment. The only exception to this rule is if the equipment was stolen while under the direct responsibility and supervision of a district staff member.*
- 3. Students are advised to use their Google Drive account to backup their data.*

### C. Repossession

TSD reserves the right to repossess technology at any time.

### D. Appropriation

All TSD issued equipment is the sole property of the school district. Any items not returned within 30 days of the last day of enrollment or the last day of the school year may be considered stolen property. Failure to return issued technology (such as iPads and accessories) in a timely manner will be referred to law enforcement. If referred to law enforcement, stolen property charges may be filed.

### E. Modification to the Program

TSD reserves the right to modify the terms of loaned technology use at any time.

### F. iPad Cases

Students with loaned iPads must keep the iPad in a district-approved case at all times. Cases are provided for all loaned iPads with charger and cord. These district-provided cases must be returned to the district in a similar condition to when they were issued upon return of the iPad, cord, and charger. Students are discouraged from drawing on device cases or putting stickers on them.

### G. General Care of Loaned Technology

Do not do anything that will permanently alter the equipment in any way. This includes “jailbreaking” and even adding stickers to it. Technology in need of repair must be reported to a teacher or another member of the technology support team. General guidelines to follow:

1. Minimizing the number of photos and movies on a device will increase performance.  
Backup your files on a regular basis to external storage such as Google Drive.
2. Do not write, draw, paint, place stickers or labels or otherwise deface loaned technology or its case.
3. Remember, loaned iPads are the property of TSD and should always be left in a district-approved case.
4. Never put weight, such as a pile of books, on a device like an iPad or chromebook.
5. Liquids, food and other debris can damage devices. Avoid eating or drinking while using them.
6. Take care when inserting and removing cords to avoid damage to the ports and cables.
7. Charge loaned devices at night before school the next day.
8. Do not expose technology to extreme temperatures, direct sunlight, or ultraviolet light for long or extended periods of time. Extreme heat or cold may cause damage. If the device has been in a cold or hot environment for a long period of time, let it reach room temperature before using it.
9. NEVER leave loaned technology outside or in a vehicle.

### H. General Security

1. Never leave hardware (such as iPads) unsecured. Devices should be locked in a designated area or secured when not in use.
2. Students are expected to maintain the security of loaned technology, even during after-school activities. Unsupervised devices will be confiscated by staff, and disciplinary actions may be taken.
3. Each device has several identifying labels, including the district identification label (also known as the asset tag). Under no circumstances are you to modify, remove, or destroy these labels.

### I. End of the Year Collection Procedure

Loaned Technology including cords, chargers, and cases will be returned on the date designated by the principal and the technology support team. If a student is leaving TSD, they will return all loaned technology and accessories on or before the date of withdrawal.

**DISCIPLINE AND CONDUCT CODE REVIEW VERIFICATION FORM**  
**(Completed during online registration and Annual Family Update)**

Your signature indicates you have received, read, and understand the Annual Notifications to Parents/Guardians; Behavioral Code of Conduct and Board of Education Policies; Rights and Responsibilities of Students and Parents; and Board of Education Policies book.

\_\_\_\_\_  
 Parent Name Printed

\_\_\_\_\_  
 Parent Signature

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Student Name Printed

\_\_\_\_\_  
 Grade

\_\_\_\_\_  
 Student Name

\_\_\_\_\_  
 Date





[www.thompsonschoools.org](http://www.thompsonschoools.org)