Ellicott School District #22
Ellicott, Colorado
Policy Manual Project Notes

Section A

AC	*Nondiscrimination/Equal Opportunity.* Edited for clarity and style. References to policy codes have been stricken to allow flexibility for the policy and accompanying regulation to be revised as needed and to ensure that such codes do not become obsolete. Revision suggested to reflect that the superintendent is the compliance officer. Policy is required by law.
AC-R	*Nondiscrimination/Equal Opportunity (Regulation).* Edited and reorganized for clarity and style. Revisions are suggested to reflect that the superintendent is the compliance officer as well as the hearing officer. Note that specifically identifying an alternate compliance officer by name will require updating this regulation if the elementary school principal changes. Regulation is required by law.
AC-E	*Nondiscrimination/Equal Opportunity (Exhibit).* See Repeals List.
AC-E-1	*Nondiscrimination/Equal Opportunity (Sample Notice) (Exhibit).* Minor edits for style. Exhibit is optional.
AC-E-2	*Nondiscrimination/Equal Opportunity (Complaint Form) (Exhibit).* You may wish to include an exhibit on this subject. A CASB sample is provided as a resource. Exhibit is optional.
ACD	*Commitment to Religious Neutrality.* See Repeals List.
ACD-R	*Commitment to Religious Neutrality (Regulation).* See Repeals List.
ACD-R-1	*Commitment to Religious Neutrality (Regulation).* See Repeals List.
ACE	*Nondiscrimination on the Basis of Disability.* See Repeals List.
ACE-R	*Nondiscrimination on the Basis of Disability (Complaint Process)(Regulation).* See Repeals List.

ACE-E-1	*Nondiscrimination on the Basis of Handicap/Disability (Compliance Officer) (Exhibit).* See Repeals List.
ACE-E-2	*Nondiscrimination on the Basis of Disability (Complaint Form)(Exhibit).* See Repeals List.
AD	*School District Mission.* No revisions made. School districts are required by law to adopt a policy on this subject, including a requirement that mission statements reflect safety for *students and staff* as a priority.
ADA	*School District Educational Objectives.* Suggested revisions reflect current terminology. Policy is optional.
ADC	*Tobacco-Free Schools.* No changes made. Policy is required by law.
ADC-R	*Tobacco-Free Schools (Regulation).* See Repeals List.
ADD	*Safe Schools.* Edited for clarity. Edits suggested for clarity and simplicity. Policy is required by law.
ADD-E	*Safe Schools (Exhibit).* Suggested revisions reflect current statutory language. Exhibit is optional.
ADE	*Innovation in Education.* Edited for style. Suggested revisions reflect current terminology. Policy is highly recommended.
ADE-R	*Innovation in Education (Regulation).* You may wish to include a regulation on this topic. A CASB sample is provided as a resource. Regulation is optional.
ADE-E	*Innovation in Education (Exhibit).* You may wish to include an exhibit on this topic. The exhibit outlines the areas in which the Innovation Schools Act of 2008 encourages Boards to consider innovations. Exhibit is optional.
ADF	*School Wellness.* Suggested revisions reflect current terminology and CASB sample language for added clarity. Policy is required by law.

AE	*Accountability/Commitment to Accomplishment.* No changes made. Policy is optional.
AE-R	*Accountability/Commitment to Accomplishment (Regulation).* Minor revision for consistency with membership requirements, as amended by HB 15-1170. Regulation is optional.
AE-E	*Accountability Process Timeline.* See Repeals List.
AEA	*Standards Based Education.* Suggested revisions reflect current terminology. Policy is highly recommended.
AECA*	*School Accountability Reports.* See Repeals List.
AED*	*Accreditation.* Policy simplified to address the basic elements of the accreditation contract between the State Board and the local board, and provide that it is the local board's responsibility to accredit schools within the district (and any district charter schools). Note that this sample policy is under review pursuant to HB 15-1232. Additional revisions may be forthcoming. Policy is required by law.
AED*-E	*District Accreditation Contract (Exhibit).* See Repeals List.
AEE*	*Waivers of State Law and Regulation.* You may wish to include a policy on this subject. A CASB sample is provided as a resource. Policy is optional.

Draft prepared July 22, 2015

Nondiscrimination/Equal Opportunity

The Board 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 discrimination on the basis of disability, race, creed, color, sex, sexual orientation, national origin, religion, ancestry or need for special education services. Accordingly, no otherwise qualified student, 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 race, color, national origin, ancestry, creed, religion, sex (which includes marital status), sexual orientation, disability or need for special education services. Discrimination against employees and applicants for employment based on age and genetic information is also prohibited in accordance with state and/or federal law.

This policy and regulation shall be used to address all concerns regarding unlawful discrimination and harassment, except those regarding sexual harassment which are addressed in **other Board** policies ~~GBAA and JBB*~~**listed in this policy's cross references**.

In keeping with these statements, the following shall be objectives of this school 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 he or she lives.

5. To initiate a process of reviewing all policies and practices of this school 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.

7. To investigate and appropriately discipline staff and students found to be responsible for incidents of harassment or unlawful discrimination in violation of ~~district~~**Board** 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 race, color, sex (which includes marital status), sexual orientation, religion, national origin, ancestry, creed, disability or need for special education services. 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 designated to coordinate Title IX and Section 504 and ADA compliance activities.

The notice shall be disseminated to persons with limited English language skills in the person's own language. It shall 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 race, color, national origin, ancestry, creed, religion, sex (which includes marital status), sexual orientation, disability or need for special education services is a form of discrimination prohibited by state and federal law. 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 district 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 race, color, national origin, ancestry, creed, religion, sex, sexual orientation, disability or need for special education services 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. vVerbal acts and name-calling;

2. gGraphic depictions and written statements, which may include use of cell phones or the Internet;

3. oOther conduct that may be physically threatening, harmful or humiliating.

Reporting unlawful discrimination and harassment

Any student who believes he or she has been a victim of unlawful discrimination or harassment as defined in Board policy, or who has witnessed such unlawful discrimination or harassment, shall immediately report it to an administrator, counselor, teacher or the district's compliance officer and file a complaint as set forth in the regulation which accompanies this policy.

Any employee, applicant for employment or member of the public who believes he or she has been a victim 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 district's compliance officer.

If the individual alleged to have engaged in prohibited conduct is the person designated as the compliance officer, ~~the complaint shall be made to the superintendent who shall designate~~ an alternate compliance officer **shall be designated** to investigate the matter**, in accordance with this policy's regulation**.

~~*(NOTE: If the superintendent is the compliance officer, the Board must identify an alternate person who can take the necessary action.)*~~

District action

All district 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 unlawful behavior, to prevent the recurrence of such behavior and to prevent retaliation against the individual(s) who files the complaint and/or any person who participates in the investigation. When appropriate, the district shall take interim measures during the investigation to protect against further 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 are occurring in particular district settings or activities, the district shall implement measures designed to remedy the problem in those areas or activities.

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

In cases involving potential criminal conduct, the 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 ~~compliant~~ **complaint** process shall be referenced in student and employee handbooks and otherwise available to all students, staff and members of the public through electronic or hard-copy distribution.

Students and district employees shall receive periodic training related to recognizing and preventing unlawful discrimination and harassment. District 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 and/or targeted groups;
- how to recognize and react to unlawful discrimination and harassment; and
- proven harassment prevention strategies.

~~Adoption date~~**Adopted**: ~~05/15/02~~**May 15, 2002**
Revised ~~date~~: ~~05/17/07~~**May 17, 2007**
Revised ~~date~~: ~~03/19/09~~ **March 19, 2009**
Revised ~~date~~: ~~03/21/2013~~**March 21, 2013**
Revised: date of manual revision

LEGAL REFS.: 20 U.S.C. §1681 *(Title VII, Education Amendments of 1972)*
20 U.S.C. §1701-1758 *(Equal Employment Opportunity Act of 1972)*
29 U.S.C. §621 *et seq.* *(Age Discrimination in Employment Act of 1967)*
29 U.S.C. §701 *et seq.* *(Section 504 of the Rehabilitation Act of 1973)*
42 U.S.C. §12101 *et seq.* *(Title II of the Americans with Disabilities Act)*
42 U.S.C. §2000d *(Title VI of the Civil Rights Act of 1964, as amended in 1972)*
42 U.S.C. §2000e *(Title VII of the Civil Rights Act of 1964)*
42 U.S.C. §2000ff *et seq.* *(Genetic Information Nondiscrimination Act of 2008)*

34 C.F.R. Part 100 **through Part 110** ***(Civil rights regulations)***
C.R.S. 2-4-401 (13.5) *(definition of sexual orientation)*
C.R.S. 18-9-121 *(bias-motivated crimes)*
C.R.S. 22-32-109 (1)(II) *(Board duty to adopt written policies prohibiting discrimination)*
C.R.S. 24-34-301 (7) *(definition of sexual orientation)*
C.R.S. 24-34-301 *et seq.* *(Colorado Civil Rights Division)*
C.R.S. 24-34-401 *et seq.* *(discriminatory or unfair employment practices)*
C.R.S. 24-34-601 *(unlawful discrimination in places of public accommodation)*
C.R.S. 24-34-602 *(penalty and civil liability for unlawful discrimination)*

CROSS REFS.: GBA, Open Hiring/Equal Employment Opportunity
GBAA, Sexual Harassment
JB, Equal Educational Opportunities
JBB*, Sexual Harassment

Nondiscrimination/Equal Opportunity
(Complaint and Compliance Process)

The district is committed to providing a working and learning environment that is free from unlawful discrimination and harassment. The district shall promptly respond to concerns and complaints of unlawful discrimination and/or harassment; take action in response when unlawful 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 unlawful discrimination and/or harassment complaints as 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 unlawful discrimination and/or harassment. Complaints may be submitted orally or in writing.

Definitions

1. "Compliance officer" means ~~an employee designated by the Board to receive~~ **the superintendent, who shall be responsible for receiving and investigating** complaints of alleged unlawful discrimination and harassment **in accordance with this regulation**. ~~The compliance officer shall be identified by name/title, address, telephone number and email address. See exhibit AC-E-1.~~ If the designated individual is not qualified or is unable to act as such, the ~~superintendent~~ **Board** designates **the e**~~E~~lementary **p**~~P~~rincipal~~, Joe Torrez who shall serve until a successor is appointed by the Board~~ **to serve as the compliance officer**.

~~*[NOTE: If the superintendent is the compliance officer, the Board must identify an alternate person who can take the necessary action if the superintendent is disqualified from action.]*~~

2. "Aggrieved individual" shall mean a student, the parents or guardians of a student under the age of 18 acting on behalf of a student, **a** ~~an~~ **district** employee~~ of the district employee~~, or member of the public who is directly affected by and/or is witness to an alleged violation of Board policies prohibiting unlawful discrimination or harassment.

Compliance officer's duties

The compliance officer 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. The compliance officer's duties shall include providing notice to students, parents/guardians of students, employees and the general public concerning the compliance process, providing training for district staff 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, coordinating hearing procedures, and identifying and addressing any

patterns or systemic problems that arise during the review of complaints. The compliance officer 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 compliance officer. If the compliance officer is the individual alleged to have engaged in the prohibited conduct, the complaint shall be forwarded to **the e**~~E~~lementary **p**~~P~~rincipal~~,~~. ~~Joe Torrez~~.

Any aggrieved individual may file a complaint with the compliance officer, charging the district, another student or any district employee with unlawful discrimination or harassment. Complaints may be made orally or in writing. Persons who wish to file a written complaint shall be encouraged to use the **district's complaint** form ~~in AC-E-2~~.

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

The compliance officer shall confer with the aggrieved individual and/or the alleged victim of the unlawful discrimination or harassment as soon as is reasonably possible, but no later than 10 ~~school~~ **calendar** days following the ~~district's~~ **compliance officer's** receipt of the complaint in order to obtain a clear understanding of the basis of the complaint.

Within 10 ~~school~~ **calendar** days following the initial meeting with the aggrieved individual and/or alleged victim, the compliance officer shall attempt to meet with the individual alleged to have engaged in the prohibited conduct and, if a student, his or her 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 meetings, the compliance officer shall explain the avenues for informal and formal action, provide a description of the complaint process, and explain that both the victim 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 shall also explain that whether or not the individual files a written complaint or otherwise requests action, the district is required by law to take steps to correct the unlawful discrimination or harassment and to prevent recurring unlawful discrimination, harassment or retaliation against anyone who makes a report or participates in an investigation. The compliance officer shall also explain that any request for confidentiality shall be honored so long as doing so does not preclude the district from responding effectively to prohibited conduct and preventing future prohibited conduct.

Informal action

If the aggrieved individual and/or the individual alleged to have engaged in the prohibited conduct requests that the matter be resolved in an informal manner and/or 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 compliance action must 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 ~~school~~ **district** employee and shall not be used between students where the underlying offense involves sexual assault or other act of violence.

Formal action

If informal resolution is inappropriate, unavailable or unsuccessful, the compliance officer shall promptly investigate the allegations to determine whether and/or to what extent, unlawful discrimination or harassment has occurred. 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 and/or alleged victim's reaction or change in behavior following the alleged prohibited conduct,

e. evidence about whether the alleged victim and/or aggrieved individual took action to protest the conduct,

f. evidence and witness statements or testimony presented by the parties involved,

g. other contemporaneous evidence, and/or

h. any other evidence deemed relevant by the compliance officer.

In deciding whether conduct is a violation of law or policy, all relevant circumstances shall be considered by the compliance officer, including:

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 alleged victim,

d. the number of individuals alleged to have engaged in the prohibited conduct and number of victims of the prohibited conduct,

e. the age of the individual alleged to have engaged in the prohibited conduct and the aggrieved individual and/or alleged victim,

f. the size of the school, location of the incident and context in which it occurred,

g. other incidents at the school.

The compliance officer shall prepare a written report containing findings and recommendations for disciplinary or other action, as appropriate, and submit the report to the ~~superintendent~~ **Board of Education** within 10 **calendar** days following the compliance officer's receipt of the complaint or 10 **calendar** days following the termination of the informal resolution process. ~~The compliance officer's report shall be advisory and shall not bind the superintendent or the district to any particular course of action or remedial measure. Within 10 school days after receiving the compliance officer's findings and recommendation, the superintendent or designee shall determine any sanctions or other action deemed appropriate, including if appropriate recommendations to the Board for disciplinary or other action.~~

~~*[ALTERNATE LANGUAGE for use when the superintendent is the compliance officer: Within 10 days after the hearing, the compliance officer shall prepare a written decision with specific factual findings and sanctions or other remedial action, including as appropriate recommendations to the Board for disciplinary or other action.]*~~

To the extent permitted by federal and state law, all parties, including the parents/guardians of all students involved, shall be notified in writing ~~by the superintendent~~ of the final outcome of the investigation and all steps taken by the district within 10 **calendar** days following the ~~superintendent's~~ **Board's** determination.

Hearing procedure

For allegations under Section 504 and as otherwise required by law, the aggrieved individual may request a hearing. This hearing procedure will not address guilt or innocence or disciplinary consequences which shall instead be governed by the Board's discipline policies and procedures. **The district shall retain a person to serve as the impartial** ~~The~~ hearing officer**, who** ~~will be an administrative employee of the district designated by the superintendent~~**shall be knowledgeable about Section 504 and/or the ADA, if applicable**.

The hearing shall be informal **and shall be recorded**. Formal rules of evidence shall not apply. A student shall be entitled to be represented by his/her parent or by an attorney. A~~n~~ **district** employee shall be entitled to be represented by an attorney or other representative of his/her choice. The complainant may appear at the hearing

and shall be entitled to present testimony and other evidence. **A district representative** ~~The compliance officer or designee may represent the district at the hearing and~~ shall likewise be entitled to present testimony and other evidence. The hearing shall be closed to the public.

Within 10 **calendar** days ~~of receiving the~~ **after the** hearing ~~officer's recommendations, the superintendent or designee shall determine any action deemed appropriate~~, **t**~~T~~he hearing officer shall ~~make~~ **issue** a written ~~recommendation to the superintendent~~ **decision** based upon evidence presented at the administrative hearing**, including any remedial or corrective action deemed appropriate. Remedial actions shall include measures designed to stop the unlawful discrimination or harassment, correct its negative impact on the affected individual, ensure that the conduct does not recur, and restore lost educational opportunities.**

~~*[ALTERNATE LANGUAGE for use when the superintendent is the hearing officer: Within 10 days after the hearing, the hearing officer shall issue a written decision based upon evidence presented at the administrative hearing, including any remedial or corrective action deemed appropriate. Remedial actions shall include measures designed to stop the unlawful discrimination or harassment, correct its negative impact on the affected individual, ensure that the conduct does not recur, and restore lost educational opportunities.]*~~

~~Any party not satisfied with a decision made by the superintendent may present his/her concerns to the Board. Any action taken by the Board shall be final.~~

After the hearing officer has issued his or her decision, the recording of the hearing, all physical and documentary evidence and all other items comprising the record of the hearing shall be returned to the district.

Either party may seek review of the hearing officer's decision in a court of competent jurisdiction, in accordance with applicable law and applicable timelines for requesting such review.

Nothing contained herein shall be interpreted to confer upon any person the right to a hearing independent of a Board policy, administrative procedure, statute, rule, regulation or agreement expressly conferring such right. This process shall apply, unless the context otherwise requires and unless the requirements of another policy, procedure, statute, rule, regulation or agreement expressly contradicts with this process, in which event the terms of the contrary policy, procedure, law, rule, regulation or agreement shall govern.

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.~~

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. Toll Free: 800-262-4845 English/Spanish. 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, Denver, CO 80203. Toll Free: 800-669-4000. Fax: 303-866-1085. TTY: 800-669-6820. Email: egov.eeoc.gov.eas

Colorado Civil Rights Division (CCRD), 1560 Broadway, Suite 1050, Denver, CO 80202. Toll Free: 800-262-4845. Telephone: 303-894-2997. Fax: 303-894-7830. Email: dora_CCRD@state.co.us

Adopted: ~~3/19/2009~~ **March 19, 2009**
Revised: ~~12/13/2012~~**December 13, 2012**
Revised: date of manual revision

Nondiscrimination/Equal Opportunity
(Sample Notice)

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, Ellicott School District #22 does not unlawfully discriminate on the basis of race, color, sex, religion, national origin, ancestry, creed, age, marital status, sexual orientation, genetic information, disability or need for special education services in admissions, access to, treatment, or employment in educational programs or activities which it operates.

Complaint procedures have been established for students, parents, employees and members of the public. The following person(s) have been identified as the compliance officer for the district:

Dr. Patrick Cullen, Superintendent, Ellicott School District #22
395 S. Ellicott Hwy., Ellicott, CO 80808
719-683-2700 ext. 4
patrickcullen@ellicottschools.org

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.

~~Adoption date: 5/17/07~~ **Adopted: May 17, 2007**
Revised ~~date~~: ~~3/19/09~~ **March 19, 2009**
Revised ~~date~~: ~~3/21/2013~~ **March 21, 2013**
Revised: date of manual revision

CASB SAMPLE EXHIBIT

File: AC-E-2

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

Nondiscrimination/Equal Opportunity

(Complaint Form)

Date: _____

Name of complainant: _____

School: _____

Address: _____

Phone: _____

Summary of alleged unlawful discrimination or harassment:

_____

_____

_____

_____

Name(s) of individual(s) allegedly engaging in prohibited conduct:

_____

_____

Date(s) alleged prohibited conduct occurred:

_____

Name(s) of witness(es) to alleged prohibited conduct:

_____

If others are affected by the possible unlawful discrimination or harassment, please give their names:

_____

Your suggestions regarding resolving the complaint: _____

_____

_____

Please describe any corrective action you wish to see taken with regard to the alleged unlawful discrimination or harassment. You may also provide other information relevant to this complaint.

_____

_____

_____

_____

_____ _____

Signature of complainant Date

_____ _____

Signature of person receiving complaint Date

(Issue date)

[Revised March 2012]
COLORADO SAMPLE EXHIBIT 2007©

File: AD

School District Mission

VISION

Success for all students

MISSION STATEMENT

Inspiring everyone to think, to learn, to achieve, and to care in a safe environment.

ELLICOTT SCHOOL DISTRICT 22 CORE VALUES

WE VALUE:

- *Providing a safe and caring environment for learning*
- *High expectations for the growth and academic achievement of each student*
- *Developing meaningful relationships with students, families, and the community through respect and understanding*
- *Respectful communication at all levels of the educational organization*
- *Engaging students, parents, and the community as partners in education through involvement and empowerment*
- *Attracting and retaining high quality personnel who are knowledgeable, care deeply about our students, and understand and embrace the diversity of our community*
- *An accountable and accessible staff*
- *A guaranteed, verifiable, standards-based curriculum that leads to success*

Adopted: ~~09/21/05~~ **September 21, 2005**
Revised: ~~12/13/06~~ **December 13, 2006**
Revised: ~~3/20/14~~ **March 20, 2014**
Reviewed: date of manual revision

LEGAL REF.: C.R.S. 22-32-109.1 **(1.5)** ***(regulation that mission statement reflect safety for students and staff as a priority)***

CROSS REF.: ADA, School District Educational Objectives

File: ADA

School District Educational Objectives

In keeping with its belief that all students can learn and achieve academic success, the Board of Education adopts the following objectives:

1. Students shall demonstrate the skills and attitudes of critical thinking, problem solving, decision making, intellectual curiosity and artistic expression which form the foundation for lifelong learning.

2. Students shall acquire the skills and knowledge required to lead successful lives and be productive citizens.

3. Students shall demonstrate proficiency in core academic areas by meeting or exceeding ~~state and district content~~**the district's academic** standards~~.~~ **or completing the requirements and goals as listed on a student's Individualized Education Program (IEP) which may include modified standards.**

4. Students shall demonstrate ~~the job acquisition, job retention~~**readiness for postsecondary** and ~~marketable job skills necessary to be effective, productive workers~~**/or workforce success**.

5. Students shall be able to make effective life choices based on commonly held values of honesty, respect for self and others, civic and personal responsibility and integrity.

Adopted: ~~05/17/07~~ **April 17, 2007**
Revised: date of manual revision

CROSS REFS.: AD, ~~Educational Philosophy~~/School District Mission
~~IA, Instructional Goals and Learning Objectives~~
IHBK*, Preparation for Postsecondary and Workforce Success

Tobacco-Free Schools

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

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

For purposes of this policy, the following definitions apply:

1. "School property" means all property owned, leased, rented or otherwise used or contracted for by a school including but not limited to the following:

    a. All indoor facilities and interior portions of any building or other structure used for children under the age of 18 for instruction, educational or library services, routine health care, daycare or early childhood development services, as well as for administration, support services, maintenance or storage. The term does not apply to buildings used primarily as residences, i.e., teacherages.

    b. All school grounds over which the school exercises control including areas surrounding any building, playgrounds, athletic fields, recreation areas and parking areas.

    c. All vehicles used by the district for transporting students, staff, visitors or other persons.

    d. At a school sanctioned activity or event.

2. "Tobacco product" means:

    a. Any 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; and

    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" means lighting, chewing, smoking, ingesting or application of any tobacco 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 district policy. This policy will be published in all employee and student handbooks, posted on bulletin boards and announced in staff meetings.

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

~~Adoption date~~**Adopted**: ~~02/17/99~~ **February 17, 1999**
Revised ~~date~~: ~~05/17/07~~ **May 17, 2007**
Revised ~~date~~: ~~03/19/09~~ **March 19, 2009**
Revised ~~date: 03/21/2013~~ **March 21, 2013**
Reviewed: date of manual revision

LEGAL REFS.: 20 U.S.C. 7181 *et seq.* *(Pro-Children Act of 2001 contained in No Child Left Behind Act of 2001 prohibits smoking in any indoor facility used to provide educational services to children)*
C.R.S. 18-13-121 *(furnishing tobacco products to minors)*
C.R.S. 22-32-109 (1)(bb) *(policy required prohibiting use of tobacco products on school grounds)*
C.R.S. 22-32-109.1 (2)(a)(I)(H) *(policy required as part of safe schools plan)*
C.R.S. 25-14-103.5 *(tobacco use prohibited on school property)*
C.R.S. 25-14-301 *(Teen Tobacco Use Prevention Act)*
6 CCR 1010-6, Rule 5-306

CROSS REFS.: IHAMA, Teaching about Drugs, Alcohol and Tobacco
KFA, Public Conduct on District Property

Safe Schools

The Board of Education recognizes that effective learning and teaching takes place in a safe, secure and welcoming environment and that safe schools contribute to improved attendance, increased student achievement and community support. To that end, the Board directs the superintendent~~, following consultation with the school district accountability committee and school accountability committees, parents, teachers, administrators, students and when appropriate, members of the community,~~ to develop **and maintain** a safe schools plan that includes:

1. Procedures that address the supervision and security of school buildings and grounds.

2. Procedures that address the safety and supervision of students during school hours and school-sponsored activities.

3. Procedures that address persons visiting school buildings and attending school-sponsored activities.

4. Training programs for staff and students in crisis prevention and management.

5. Training programs for staff and students in emergency response procedures that include practice drills.

6. Training programs for staff and students in how to recognize and respond to behavior or other information that may indicate impending violence or other safety problems.

7. Training and support for students that aims to relieve the fear, embarrassment and peer pressure associated with reporting behavior that may indicate impending violence or other safety problems.

8. Procedures for safe, confidential reporting of security and safety concerns at each school building.

9. Procedures for regular assessments by school security/safety professionals and law enforcement officers to evaluate the security needs of each school building and to provide recommendations for improvements if necessary.

10. Procedures for regular assessments by school climate professionals to determine whether students feel safe and to provide recommendations for improvements in school climate at each district building.

11. Procedures to provide for regular communications between district officials, law enforcement officers, fire department officials, city and county officials and local medical personnel to discuss crisis prevention and management strategies, including involvement by these parties in the development and revision of crisis prevention and management plans.

12. Training programs for staff and students in safety precautions and procedures related to fire prevention, natural disaster response, accident prevention, public health, traffic, bicycle and pedestrian safety, environmental hazards, civil defense, classroom and occupational safety, and special hazards associated with athletics and other extracurricular activities.

13. Procedures for the reporting of criminal activity to law enforcement.

Each building principal shall be responsible for the supervision and implementation of the safe school program at his or her school. The principal shall submit annually, in the manner and by the date specified by the State Board of Education, a written report to the Board of Education concerning the learning environment in the school during that school year. The report shall contain, at a minimum, the information required by law.

~~It shall be the responsibility of the Board of Education to compile the~~**The** annual safety reports from every school in the district **shall be compiled** and ~~submit the compilation~~**submitted** to the state department of education in a format specified by the State Board of Education. The report shall be made available to the public.

Adopted: ~~08/15/01~~**August 15, 2001**
Revised: ~~05/17/07~~**May 17, 2007**
Revised: ~~10/15/09~~**October 15, 2009**
Revised: date of manual revision

LEGAL REFS.: C.R.S. 9-1-101 through 9-1-106 *(construction requirements, fire escapes, etc.)*
C.R.S. 22-3-101 through 22-3-104 *(eye protective devices)*
C.R.S. 22-32-109.1 **(1)(b.5)** ***(definition of "community partners" that board may wish to consult with in developing and implementing its safe schools plan)***
C.R.S. 22-32-109.1 (2) ***(safe school plan)***
C.R.S. 22-32-109.1 (2)(b) ***(detailing information required in annual principal reports on the learning environment)***
C.R.S. 22-32-110 (1)(k) ***(board authority to adopt policies related to employee safety and official conduct)***
C.R.S. 22-32-124 (2), (3) *(building inspections)*
C.R.S. 24-10-106.5 *(duty of care)*

CROSS REFS.: ECA/ECAB, Security/Access to Buildings
GBGAA*, Staff Training in Crisis Prevention and Management
KDE, Crisis Management (Safety, Readiness and Incident Management Planning)
KI, Visitors to School

Safe Schools

Pursuant to C.R.S. 22-32-109.1(2)(b), the following information shall be included in the annual safe schools report from the principal to the Board of Education for the preceding school year:

1. total enrollment for the school

2. average daily attendance rate at the school

3. dropout rates for grades seven ~~though~~**through** twelve, if such grades are taught at the school

4. average class size for each public elementary, middle school or junior high school, and senior high school calculated as the total number of students enrolled in the school divided by the number of full-time teachers in the school

~~*Note: "Full-time" teacher means a person who is licensed or authorized by a letter of authorization to teach, and is primarily engaged in teaching during a substantial majority of the instructional minutes per school day.*~~

5. **the school's policy concerning bullying prevention and education, including information related to the development and implementation of any bullying programs.**

6. ~~5.~~ number of conduct and discipline code violations, which shall be reported only in the most serious category applicable to each violation, including but not limited to specific information ~~on~~ **identifying** the number of and the action taken with respect to each of the following types of violations:

   a. possessing a dangerous weapon on school grounds, in **a** school vehicle~~s~~, **or** at **a** school ~~activities,~~**activity** or sanctioned school event~~s~~ without the authorization of the school or the school district

   b. use or possession of alcohol on school grounds, in **a** school vehicle~~s~~, or at **a** school ~~activities~~ **activity** or sanctioned event~~s~~

   c. use, possession, or sale of a drug or controlled substance on school grounds, in **a** school vehicle~~s~~, or at **a** school ~~activities~~**activity** or sanctioned event~~s~~

   d. use or possession of **a** tobacco product~~s~~ on school grounds, in **a** school vehicle~~s~~, or at **a** school ~~activities~~ **activity** or sanctioned event~~s~~

   e. being willfully disobedient, openly and persistently defiant, or repeatedly interfering with the school's ability to provide educational opportunities to and a safe environment for other students

f. commission of an act on school grounds, **in a school vehicle, or at a school activity or sanctioned event** that if committed by an adult would be considered first or second degree assault or vehicular assault

g. behavior on school ~~property~~**grounds, in a school vehicle, or at a school activity or sanctioned event** that is detrimental to the welfare or safety of other students or school personnel, including **but not limited to incidents of bullying, and other** behavior that creates a threat of physical harm to the student or to other students

h. willful destruction or defacement of school property

i. commission of an act on school grounds, **in a school vehicle, or at a school activity or sanctioned event** that, if committed by an adult, would be considered third degree assault or disorderly conduct

j. commission of an act on school grounds, **in a school vehicle or at a school activity or sanctioned event** that, if committed by an adult, would be considered robbery

k. other violations of the code of conduct and discipline that resulted in documentation of the conduct in a student's record

For purposes of the report, "action taken" means the specific type of discipline, including but not limited to the following categories of discipline:

- in-school suspension
- out-of-school suspension
- classroom removal in accordance with board policy
- expulsion
- referral to a law enforcement agency
- any other form of discipline, which shall be officially identified as part of a board policy.

~~The report shall specifically identify each conduct and discipline code violation and each action taken with respect to the violation by a student with a disability.~~

~~Adopted~~**Issued**: ~~05/17/07~~ **May 17, 2007**
Revised: date of manual revision

Innovation in Education

The Board commits to focus its attention and energy on the quality of education provided in the school district. The Board also believes in and supports student learning through a menu of educational options that meet the needs of all students. These two priorities set the context for the Board's comprehensive plan to improve student achievement for all district students.

One way the Board may improve student achievement and also provide a broader range of educational options is by encouraging its schools to seek designation as an "innovation school" or "innovation school zone." In accordance with state law, the Board may delegate to its schools a high degree of autonomy in implementing curriculum, making personnel decisions, organizing the school day, determining the most effective use of resources, and generally organizing the delivery of high-quality educational services. That autonomy is reflected in the Board's designation of a school as an "innovation school." A group of schools within the district that share common interests, such as geographical location or educational focus, or that sequentially serve classes of students as they progress through elementary or secondary education, may jointly submit a plan to the Board to create an "innovation school zone."

Pursuant to the Board's constitutional authority to control instruction in its schools, as well as the Board's duty to determine the educational programs to be carried on in its schools, the decision to approve or deny a request to become an innovation school or innovation school zone lies exclusively with the Board. The Board shall continue to govern all approved innovation schools or schools in an innovation school zone in accordance with the Board's constitutional and statutory role.

The Board may initiate and collaborate with one or more district schools to create an innovation school or innovation school zone. When initiating an innovation school or innovation school zone, the Board shall ensure that each public school that would be affected has an opportunity to participate in the creation of the plan. The Board may also approve or create an innovation school zone that includes all of the district's schools.

To seek designation as an innovation school or innovation school zone, the applicant shall follow the procedures prescribed in the regulation accompanying this policy. These procedures require the applicant to provide, among other information, evidence that a majority of the administrators and teachers employed at each school consent to designation as an innovation school or school zone, as well as evidence that a majority of the school accountability committee at each affected school consent to designation as an innovation school or school zone. The applicant must also provide a statement of the level of support for designation as an innovation school or school zone, including input from school employees other than teachers and administrators; students and parents of students enrolled in the school(s); and the community surrounding the school(s).

Focus aAreas

The Board encourages the development of an innovation school or innovation school zone that will:

- serve the needs of students at risk of educational failure, as evidenced by student performance on state assessments and other evidence used by the district.
- improve student achievement.
- provide an educational program with student performance standards and curriculum that meets or exceeds ~~state and district content~~**the district's academic** standards.
- provide diverse approaches to learning and education to best meet its student population.
- better allocate resources for the benefit of students served.

Limitations

The Board shall not approve an application for an innovation school or school zone that will:

- exclusively serve high-performing students, as evidenced by student performance on state assessments and other evidence used by the district.
- provide an educational program with student performance standards and curriculum that fails to meet or exceed ~~state and district content~~**the district's academic** standards.
- fail to meet the needs of the students served.

An innovation school or innovation school zone shall start at the beginning of the school year following the date the application is approved, unless another starting time is agreed upon by the Board and the applicant school(s). The period for which a new innovation school or innovation school zone may be approved is one (1) academic year(s). In accordance with state law, the Board shall review any approved innovation school or innovation school zone's performance at least every three years. Renewal of an innovation school or innovation school zone shall be for specified periods of time.

Once the Board approves an application to become an innovation school or innovation school zone, the Board may seek designation as a district of innovation from the State Board of Education. This step may be necessary to obtain the waivers of state law or regulation identified in the plan or to waive selected provisions of a collective bargaining agreement as provided in state law.

Adopted: ~~12/13/2012~~ **December 13, 2012**
Revised: date of manual revision

LEGAL REFS.: Colo. Const. Art. IX, Sect. 15 (*board has control of instruction within the district)*
C.R.S. 22-11-101 *et seq. (Education Accountability Act of 2009)*

C.R.S. 22-32-109 (1)(f)(I) (*board may delegate duty to employ personnel to innovation school*)
C.R.S. 22-32-109 (1)(t) (*board duty to determine educational program and prescribe textbooks)*
C.R.S. 22-32-110 (1)(h) (*board may delegate authority to terminate personnel to innovation school)*
C.R.S. 22-32.5-101 *et seq. (Innovation Schools Act of 2008)*

CROSS REF.: AEE*, Waiver of State Law and Regulation

CASB SAMPLE REGULATION

File: ADE-R

NOTE: While Colorado school districts are not required by law to adopt a regulation on this subject, the content in this sample reflects the legal requirements school districts must follow. The district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Innovation in Education

(Procedures for Establishment and Review of Innovation Schools and Innovation School Zones)

A. Review by school accountability committee

Prior to submission of an application to the Board of Education, the innovation school applicant shall submit the application to the school accountability committee for review and comment. If the application is to become an innovation school zone, the applicant shall submit the application to each school accountability committee within the proposed zone for review and comment. The school accountability committee(s) shall have _____ days to review the proposal.

[Note: This step is optional. However, state law requires applicants to provide evidence that a majority of any school accountability committee(s) support the application to become an innovation school or innovation school zone (see paragraph C.6.b. below.)]

B. Date for submission of application

Applications will be accepted prior to _____ for school(s) beginning the following academic year. However, the Board and the applicant may mutually waive this deadline. Applications are to be submitted to _____.

[Note: The Board may establish its own deadline. The Board may wish to establish a deadline similar to that for charter school applicants, which state law prescribes as any time between August 1 and October 1.]

C. Contents of the application

In accordance with state law, the application to become an innovation school or innovation school zone shall include:

1. Mission

Provide a statement of the school's mission and why designation as an innovation school or innovation school zone would enhance the school's ability to achieve its mission.

2. Innovations

Describe the innovations the school or school zone would implement.

[Note: The innovations that the Innovation Schools Act of 2008 (the "Act") "strongly encourages" boards to consider are listed in accompanying exhibit ADE-E.]

3. Affected programs, policies and operational documents

List the programs, policies and operational documents within the school or school zone that would be affected by the identified innovations and the manner in which they would be affected. These may include, but not be limited to, the following:

a. the research-based educational program the school or school zone would implement;
b. the length of school day and school year at the school or school zone;
c. the student promotion and graduation policies to be implemented at the school or school zone;
d. the assessment plan for the school or school zone;
e. the proposed budget for the school or school zone; and
f. the proposed staffing plan for the school or school zone.

4. Academic performance

Identify the improvements in academic performance the school or school zone expects to achieve in implementing its identified innovations.

5. Cost savings and efficiencies

Provide an estimate of the cost savings and increased efficiencies, if any, the school or school zone expects to achieve in implementing its identified innovations.

6. Support

a. Provide evidence that a majority of the administrators and teachers employed at each school consent to designation as an innovation school or school zone.

b. Provide evidence that a majority of the school accountability committee at each school consent to designation as an innovation school or innovation school zone.

c. Provide a statement of the level of support for designation as an innovation school or innovation school zone, including input from school employees other than teachers and administrators; students and parents of students enrolled in the school(s); and the community surrounding the school(s).

d. If the application is to become an innovation school zone, the statement of support shall include specific input regarding the selection of schools included in the innovation school zone and input regarding the strategies

and procedures that would be used to implement and integrate the innovations within the schools.

7. Waivers

a. Provide a description of any statutory sections or any regulatory or district policy requirements that would need to be waived for the school or school zone to implement its identified innovations.

[*Note: To obtain a waiver from state law, the district must first obtain designation as a "district of innovation" from the State Board of Education. If approved as a district of innovation, the State Board shall waive any statutes or rules specified in the district's innovation plan, except for those statutes or rules that cannot be waived under the Act.]*

b. Provide a description of any provision of the collective bargaining agreement(s) in effect for the personnel at the school or school zone that would need to be waived for the school or school zone to implement its identified innovations.

[*Note: To obtain a waiver from any provision of the collective bargaining agreement(s) in effect, the district must first obtain designation as a "district of innovation" from the State Board of Education. If approved as a district of innovation and before any provision of the collective bargaining agreement is waived, sixty percent (60%) of the members of the collective bargaining unit employed at the innovation school or schools must approve the waiver(s) by means of a secret ballot.]*

8. Additional information

Provide any additional information that supports the request to become an innovation school or innovation school zone. A plan for creating an innovation school zone shall also include:

a. A description of how innovations in the schools would be integrated to achieve results that would be less likely to be accomplished in each school working alone.

b. An estimate of the economies of scale that would be achieved by innovations implemented jointly by the schools within the innovation school zone.

[Note: The Act permits the Board to add specific application requirements in addition to those listed above.]

D. Submission procedures

No application fee will be charged by the Board.

The applicant must provide two original copies of the completed application printed single-sided on white paper, not stapled.

E. Incomplete application

If the application is incomplete, the Board will request additional information from the applicant and give the applicant a reasonable opportunity to provide additional information to the Board for review. The parties may mutually agree to waive any deadlines during the application process, including extending the deadline for Board consideration of the application.

F. Decision on the application

The Board shall make a decision, by resolution, on the application to become an innovation school or innovation school zone in a regular or special meeting. The Board's decision shall be made within 60 days after receipt of the official application, unless the parties have mutually agreed in writing to extend this deadline.

If the Board denies the plan, it shall provide a written explanation of the basis for its denial.

A new innovation school or innovation school zone may be approved for a period of _____ academic year(s).

[Note: The Act does not prescribe a time period for approval, but does require the Board to review the performance of an innovation school or innovation school zone at least once every three years (see paragraph I. below.)]

G. Amending the application

If the Board denies the application, the applicant shall have _____ days to amend the application and resubmit it to the Board. The Board will then have _____ days to make a decision on the amended application.

[Note: The Act requires the Board to make its initial decision within 60 days of receipt of the application, but does not prescribe any other timelines.]

If the application is denied again, the Board's decision shall be final and no further appeal or amendments may be submitted.

H. Negotiations

All negotiations between the Board and an approved innovation school or innovation school zone shall be concluded by and all terms agreed upon no later than _____ days after the Board resolution approving the innovation school or innovation school zone.

I. Review

The Board shall review the level of performance of the innovation school or innovation school zone within three years after the Board's approval of the plan and every three years thereafter. The Board's review shall include, but not be limited to, a determination whether the innovation school or innovation school zone is achieving or making adequate progress toward achieving the academic performance results identified in its innovation plan.

If the Board determines the academic performance of students enrolled in the innovation school or innovation school zone is not improving at a sufficient rate, the Board may revoke the innovation status of the school or school zone or remove the underperforming school or schools from the innovation school zone.

The Board reserves the right to request information from an innovation school or innovation school zone and/or to review the performance of an innovation school or innovation school zone at any time. In addition, the Board reserves the right to revoke the innovation status or remove a school from an innovation school zone at any time and for any reason deemed sufficient by the Board.

J. Revisions to innovation plan

Once approved, the Board may revise the innovation plan in collaboration with the innovation school or innovation school zone. Revisions may include, but not be limited to, reviewing identified waivers of any collective bargaining agreement.

Any revision to the innovation plan shall require the consent of the majority of teachers and administrators employed at the innovation school or innovation school zone as well as the consent of a majority of each school accountability committee. Revision may also require the approval of members of the collective bargaining unit employed at the school(s), in accordance with state law.

(Approval date)

CASB SAMPLE EXHIBIT

File: ADE-E

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

Innovation in Education

The Innovation Schools Act of 2008 "strongly encourages" local boards of education to consider innovations in the following areas:

1. Curriculum and academic standards and assessments.

2. Accountability measures, including but not limited to expanding the use of a variety of accountability measures to more accurately present a complete measure of student learning and accomplishment. The accountability measures adopted by an innovation school or an innovation school zone may include, but need not be limited to:

   a. use of graduation or exit examinations;
   b. use of end-of-course examinations;
   c. use of student portfolio reviews;
   d. use of national and international accountability measures such as the national assessment of educational progress and the program for international student assessment;
   e. measuring the percentage of students continuing into higher education; and
   f. measuring the percentage of students simultaneously obtaining a high school diploma and an associate's degree or a career and technical education certificate.

3. Provision of services, including but not limited to special education services; services for gifted students; services for English language learners; educational services for students at risk of academic failure, expulsion, or dropping out; and support services provided by the department of human services or county social services agencies.

4. Teacher recruitment, training, preparation and professional development.

5. Teacher employment.

6. Performance expectations and evaluation procedures for teachers and principals.

7. Compensation for teachers, principals and other school building personnel, including but not limited to performance pay plans, total compensation plans, and other innovations with regard to retirement and other benefits.

8. School governance and the roles, responsibilities and expectations of principals in innovation schools or schools within an innovation school zone.

9. Preparation and counseling of students for transition into higher education or the work force.

(Issue date)

School Wellness

Pursuant to federal law, the following parties have jointly developed this school wellness policy: Ellicott School District #22 aAccountability cCommittee, sScience tTeachers, hHealth tTeachers, sStudents, fFood sService pPersonnel, aAdministration and the Board of Education

The Board promotes healthy schools by supporting student wellness, good nutrition, and regular physical activity as part of the total learning environment. Schools contribute to the basic health status of students by facilitating learning through the support and promotion of good nutrition and physical activity. Improved health optimizes student performance potential, as children who eat well-balanced meals and are healthy are more likely to learn in the classroom.

The district will establish and maintain a district-wide Nutrition and Physical Activity Advisory Council. The purposes of the council shall be to monitor the implementation of this policy, evaluate the district's progress on this policy's goals, serve as a resource to schools (i.e. provide lists of healthy incentives, snacks, etc.) and recommend revisions to this policy as the council deems necessary and/or appropriate.

To further the Board's beliefs stated above, the Board adopts the following goals:

Goal #1. The district will provide a comprehensive learning environment for developing and practicing lifelong wellness behaviors.

The entire school environment, not just the classroom, shall be aligned with healthy school goals to positively influence a student's understanding, beliefs and habits as they relate to good nutrition and regular physical activity. Such learning environment will teach students to use appropriate resources and tools to make informed and educated decisions about lifelong healthy eating habits and beneficial physical activity. The goal of providing a comprehensive learning environment shall be accomplished by:

- The adoption of a district ~~content~~**academic** standard for health and nutrition education that teaches students about the effects of nutrition and physical activity on their health.
- **The provision of a**~~A~~ge-appropriate and culturally sensitive instruction to students that teaches them lifelong healthy eating habits and a healthy level of physical activity.
- The availability of nutrition education in the school cafeteria as well as the classroom, with coordination between the district's food service**s** staff and ~~teaches~~**teachers**.
- Active promotion of healthy eating and physical activity to students, parents, school staff, and the community at school registration, parent-teacher meetings, open houses, staff in-service**s**, etc.

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

~~At least fifty percent of all~~**All** foods and beverages available on school grounds and at school-sponsored activities shall meet or exceed the district's ~~nutritional~~ **nutrition** standards ~~which are found in C.R.S. 22-32-134~~. All schools participating in the School Breakfast and/or National **School** Lunch Program shall comply with any state and federal rules or regulations regarding competitive food service and the service of Foods of Minimal Nutritional Value, as defined by the USDA.

The goal of supporting and promoting proper dietary habits shall be accomplished by:

- Adoption of district nutrition standards that limit the amount of fat and sugar content and limit portion sizes.
- **A requirement that a**All students ~~having~~**have** access to fresh fruits and vegetables ~~at appropriate times during~~**throughout** the school day.
- **A requirement that a**All students ~~having~~**have** access to healthful food choices in ~~appropriated~~**appropriate** portion sizes ~~at appropriate times during~~**throughout** the school day, including healthful **meals in the school cafeteria with an adequate time to eat; healthful** items in vending machines, ~~pursuant to C.R.S. 22-32-134;~~ and healthful items for fundraisers, classroom parties, and rewards in the schools.
- **A r**~~R~~estriction on student access to vending machines, school stores, and other venues that contain foods of minimal nutritional value.
- **The adoption of r**~~R~~ules specifying the time and place at which competitive foods may be sold on school property to encourage the selection of healthful food choices by students.
- **A r**~~R~~estriction on using food as a discipline or reward for students.
- An assurance that the school cafeteria is as pleasant an eating environment as possible.
- **An e**~~E~~ncouragement that at any school function (parties, celebrations, receptions, festivals, sporting events, etc.), healthy food choice options be made available to students.
- **The e**~~E~~ncouragement of nonfood fundraisers such as flowers, gift-wrap, sporting events, and family fun events.

Goal #3. The district will provide more opportunities for students to engage in physical activity.

A quality physical education program is an essential component for all students to learn about and participate in physical activity. Physical activity ~~should~~ **shall** be included in a school's daily education program from grades pre-kindergarten through 12. Physical activity should include regular instructional physical education, in accordance with the district's ~~content standards, as well as co-curricular activities and recess~~**academic standards, and may include, but need not be limited to exercise programs, fitness breaks, recess, field trips that include physical activity and classroom activities that include physical activity**.

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

- **A requirement that periods of physical activity be provided for elementary students in accordance with policy JLJ*, Physical Activity and consistent with requirements of state law.** ***[Note: Policy JLJ* is required by law and will be recommended for inclusion when the Section J policies are submitted.]***
- **A requirement or encouragement** that periods of physical activity be at least ~~150~~**225** minutes per week for ~~elementary~~**secondary** students.
- ~~Encouragement~~**A requirement** that all students have access to age-appropriate daily physical activity.
- Opportunities for physical activity through a range of after-school programs including **intramurals**, interscholastic athletics, and physical activity through metro programs.
- Opportunities for physical activity during the school day through daily recess periods, elective physical education classes, walking programs, and the integration of physical activity into the academic curriculum.
- An e~~E~~ncouragement that secondary schools administer a ~~healthy~~**health**-related fitness assessment to students to help students determine their own level of fitness and create their own fitness goals and plans.

Adopted: ~~07/19/2006~~**July 19, 2006**
Revised: ~~01/21/10~~**January 21, 2010**
Revised: date of manual revision

LEGAL REFS.: Section 204 of P.L. **111-296**~~108-265 *(Child Nutrition and WIC Authorization Act of 2004)*~~ ***(Healthy, Hunger-Free Kids Act)***
C.R.S. 22-32-~~124~~**134.5** ***(healthy beverages requirement)***
C.R.S. 22-32-136 ***(policies to improve children's nutrition and wellness)***
C.R.S. 22-32-136.3 ***(trans fat ban)***
C.R.S. 22-32-136.5(3)(a) and (b) ***(physical activity requirement)***
1 CCR 301-79 ***(State Board of Education – healthy beverages rules)***

~~Note: Those objectives with an asterisk (*) reflect suggested policy language from C.R.S. 22-32-136, which "encourages" Boards of Education to adopt policies to improve student health and nutrition.~~

CROSS REFS.: **EF, Food Services**
EFC, Free and Reduced-Price Food Services
EFEA*, Nutritious Food Choices
IHAM and IHAM-R, Health and Family Life/Sex Education
IHAMA, Teaching About Drugs, Alcohol and Tobacco
JLJ*, Physical Activity

Accountability/Commitment to Accomplishment

The Board accepts its ultimate responsibility for the academic accomplishments of district students. Consistent with this responsibility and as required by law, the Board shall adopt and maintain an accountability program to measure the adequacy and efficiency of the educational program.

In accordance with state law, the Board shall appoint or create a process for the election of a district accountability committee and shall determine if members shall be appointed or elected to school accountability committees. If elected, the Board shall create a process for the election of school accountability committees. See regulation AE-R. The district accountability committee and school accountability committees shall have those powers and duties prescribed by state law. The Board and the district accountability committee shall, at least annually, cooperatively determine the areas and issues, in addition to budget issues, that the district accountability committee shall study and the issues on which it may make recommendations to the Board.

All district accountability committee meetings and school accountability committee meetings shall be open to the public. Meeting notices for district accountability committee meetings shall be posted in the same place and manner as notices of Board meetings. Notices for school accountability committee meetings shall be posted in the school.

Adopted: ~~09/21/05~~**September 21, 2005**
Revised: ~~05/17/07~~**May 17, 2007**
Revised: ~~10/16/09~~ **October 16, 2009**
Revised: ~~10/21/10~~ **October 21, 2010**
Reviewed: date of manual revision

LEGAL REFS.: C.R.S. 22-2-117 *(waivers from State Board of Education)*
C.R.S. 22-11-101 *et seq.* *(Education Accountability Act of 2009)*
C.R.S. 22-11-301 and 302 *(district accountability committee)*
C.R.S. 22-11-401 and 402 *(school accountability committees)*
C.R.S. 24-6-402 *(open meetings law)*
1 CCR 301-1, Rules 2202-R-1.00 *et seq.* *(accreditation rules)*

CROSS REFS.: AEA, Standards Based Education
AED*, Accreditation
AEE*, Waiver of State Law and Regulation
DBD, Determination of Budget Priorities

Accountability/Commitment to Accomplishment

District accountability committee

The district accountability committee (DAC) shall consist of at least:

- three parents of students enrolled in district schools
- one teacher employed by the district
- one school administrator employed by the district
- one person who is involved in business **or industry** in the community within the district's boundaries

A person may not serve in more than one of the required membership roles on the DAC. A person who is employed by the district or related to a district employee shall not be eligible to serve as a parent on the DAC. "Related" means the person's spouse, son, daughter, sister, brother, mother or father. If, however, the district makes a good faith effort and is unable to identify a sufficient number of parents that meet these criteria, a person may serve as a parent on the DAC and also be employed by the district or related to a district employee.

The Board shall appoint persons to the DAC. In making these appointments, it shall ensure, to the extent practicable, that:

- the parents appointed reflect the student populations significantly represented within the district;
- at least one of the parents is a parent of a student enrolled in a district charter school authorized by the Board, if one exists; and
- at least one of the persons appointed has a demonstrated knowledge of charter schools.

If the Board chooses to increase the number of persons on the DAC, it shall ensure that the number of parents appointed exceeds the number of representatives from the group with the next highest representation.

Members of the DAC will serve terms of 4 years. The DAC shall select a parent representative to serve as chair or co-chair, who shall serve terms of 2 years. The DAC shall also establish a schedule of meetings and adopt general rules for its operation.

School accountability committees

Each school accountability committee (SAC) shall consist of at least:

- three parents of students enrolled in the school
- one teacher who provides instruction at the school
- the principal or the principal's designee
- one person ~~from~~ **who is involved in business or industry in** the community

- one adult member of an organization of parents, teachers and students recognized by the school

A person may not serve more than one of the required membership roles on the SAC. If, after making good-faith efforts, a principal or an organization of parents, teachers and students is unable to find a sufficient number of persons who are willing to serve on the SAC, the principal, with advice from the organization of parents, teachers and students, may establish an alternate membership plan for the SAC. Such alternate plan shall reflect the required representation stated above as much as practicable.

Members of the SAC shall be appointed by the principal of each school. The principal shall ensure, to the extent practicable, that the persons appointed reflect the student populations significantly represented within the school.

If the principal chooses to increase the number of persons on any SAC, the principal shall ensure that the number of parents appointed exceeds the number of representatives from the group with the next highest representation.

Members of the SAC shall serve terms of 4 years. Vacancies shall be filled by majority action of the remaining members of the SAC. The SAC shall select a parent representative to serve as chair or co-chair, who shall serve a term of 2 years.

Approved: ~~08/18/99~~**August 18, 1999**
Revised: ~~05/15/02~~**May 15, 2002**
Revised: ~~10/16/09~~ **October 16, 2009**
Revised: ~~10/21/10~~ **October 21, 2010**
Reviewed: date of manual revision

Standards Based Education

The Board supports a system of education that develops and teaches standards that enable students to achieve the highest level of knowledge and skills. Academic ~~content~~ standards clearly identify what students should know and be able to do at key points in their school careers.

In accordance with state law, the Board has adopted a standards-based education system which focuses on student learning of ~~content~~ **the district's academic** standards. It is the intent of the Board that the district's program of instruction and assessments be aligned with ~~content~~ **the district's academic** standards. In standards-based education, courses and units of study are clearly defined, understood by teachers and students and communicated to staff members, families and the community. The district's standards-based education system will advance equity, promote student learning and reinforce accountability.

The superintendent shall be responsible for developing a plan to implement ~~content~~ **the district's academic** standards that meet or exceed the model state ~~content~~ **academic** standards and revise curriculum and programs of instruction to align them with the district's standards to provide students with the educational experiences necessary to achieve the standards. The plan shall also address the professional development of teachers and administrators to enable successful implementation of standards-based education. The plan shall ensure that the educational programs of the district actively address the needs of exceptional students, consciously avoid gender or cultural bias and address the different learning styles and needs of students of various backgrounds and abilities and eliminate barriers to equity. The plan shall conform with all timelines established by law.

The district shall work with educators, parents, students, businesspersons, members of the community and the district accountability committee to review and revise ~~content~~ **the district's academic** standards as necessary to ensure maximum effectiveness and develop assessments that will adequately measure each student's progress. Parents shall be kept informed of student progress in achieving ~~content~~ **the district's academic** standards and how such progress will be measured. This information shall also be provided to the district accountability committee and school accountability committees.

Adopted: ~~05/17/07~~ **May 17, 2009**
Revised: ~~10/15/09~~ **October 15, 2009**
Revised: ~~03/21/2013~~**May 21, 2013**
Revised: date of manual revision

LEGAL REFS.: C.R.S. 22-1-104 (6)(a) *(financial assistance to develop and promote programs that address state academic standards for civics)*
C.R.S. 22-7-401 *(education reform – obligation to provide a standards-based system)*
C.R.S. 22-11-101 *et seq.* *(Education Accountability Act of 2009)*
C.R.S. 22-32-109 (1)(r), (t) *(duty to comply with state regulations and determine programs)*

CROSS REFS.: AE, Accountability/Commitment to Accomplishment
~~IA, Instructional Goals and Learning Objectives~~
~~IGA, Curriculum Development~~
~~IGD, Curriculum Adoption~~
~~IGF, Curriculum Review~~
~~IL, Evaluation of Instructional Programs, and subcodes~~

Accreditation

The Board of Education believes its primary responsibility is to provide leadership in the area of student achievement. To foster greater accountability and enhance improvement in student achievement, the Board shall enter into an accreditation contract with the State Board of Education regarding district accreditation and shall accredit the schools within the district.

District accreditation

The accreditation contract shall bind the Board to manage the district and its schools to meet certain standards, goals and requirements over the term of the contract, in accordance with the Education Accountability Act of 2009 and applicable State Board of Education rules. ~~At a minimum, the accreditation contract shall address the following elements:~~

- ~~the district's level of attainment on the four key performance indicators: student longitudinal academic growth, student achievement on statewide assessments, postsecondary and workforce readiness, and progress made on closing the achievement and growth gaps;~~
- ~~the district's adoption and implementation of its performance, improvement, priority improvement or turnaround plan (whichever is required based on the district's assigned accreditation category);~~
- ~~the district's implementation of its system for accrediting its schools; and~~
- ~~the district's substantial, good-faith compliance with the provisions of title 22, C.R.S. and other statutory and regulatory requirements applicable to school districts.~~

In conjunction with accreditation, the Board is committed to adopting ~~content~~ **academic** standards for student learning, achievement performance levels, systems for measuring student achievement and methods for improving student achievement.

School accreditation

While the state accredits the district, the Board accredits the schools within the district, including district charter schools. ~~The Board's accreditation of district schools shall emphasize attainment on the four key performance indicators: student longitudinal academic growth, student achievement on statewide assessments, postsecondary and workforce readiness, and progress made on closing the achievement and growth gaps. The Board may adopt additional accreditation indicators and measures for district schools that meet or exceed the state standards for district accreditation~~**The Board directs the superintendent to develop a school accreditation process for the Board's input and approval. Such process shall be developed in accordance with the Education Accountability Act of 2009**.

~~The Board directs the superintendent to develop a school accreditation process for the Board's input and approval. Such process shall be developed in accordance with the Education~~

~~Accountability Act of 2009 and shall assign an accreditation category to each district school on an annual basis. The accreditation process shall also require each district school to enter into an accreditation contract with the Board that is comparable to the accreditation contract between the Board and the State Board of Education. By October 15 of each year, the district shall provide the Colorado Department of Education with the accreditation category assigned to each district school.~~

~~In accordance with the process required by the Education Accountability Act of 2009 and applicable State Board of Education rules, the superintendent, principals and other district administrators shall develop a proposed school performance, improvement, priority improvement or turnaround plan for each district school. Pursuant to the Board's constitutional~~ **Pursuant to the Board's constitutional** and statutory authority to control instruction in its schools and determine the allocation of district resources, the Board shall review and approve all school plans, regardless of whether the plan is a performance, improvement, priority improvement or turnaround plan. Each school plan shall be submitted to the Colorado Department of Education in accordance with the timelines prescribed by applicable State Board of Education rules.

Adopted: ~~05/02~~ **May, 2002**
Revised: ~~10/15/09~~ **October 15, 2009**
Revised: ~~10/21/10~~ October 21, 2010
Revised: date of manual revision

LEGAL REFS.: Colo. Const. Art. IX, Sect. 15 *(board has control of instruction within the district)*
C.R.S. 22-7-407 *(adoption of ~~content~~**academic** standards)*
C.R.S. 22-11-101 *et seq.* *(Education Accountability Act ~~of2009~~**of 2009**)*
C.R.S. 22-11-307 *(board accreditation of district schools)*
C.R.S. 22-30-105 *(school district organization planning process)*
C.R.S. 22-30.5-104 (2)(b) *(district charter schools subject to accreditation by local board)*
C.R.S. 22-32-109 (1)(t) *(board duty to determine educational program and prescribe textbooks)*
C.R.S. 22-32-109 (1)(mm) *(Board duty to adopt policy for accreditation of district schools)*
C.R.S. 22-32-142 (2) ***(parent notice, public meeting and public hearing requirements for schools on priority improvement or turnaround status)***
1 CCR 301-1~~, Rules 2202-R-1.00~~ *(State Board of Education rules for the Administration of the Accreditation of School Districts)*
1 CCR 301-71 ***(State Board of Education rules for the Administration, Certification and Oversight of Colorado Online Programs)***

CROSS REFS.: AE, Accountability/Commitment to Accomplishment
AE-R, Accountability/Commitment to Accomplishment-Regulation
AEA, Standards Based Education
IHBK*, Preparation for Postsecondary and Workforce Success
IK, Academic Achievement
~~ILBB, State Program Assessments~~
IKA, Grading/Assessment Systems

KB, Parental Engagement in Education

CASB SAMPLE POLICY

File: AEE*

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

Waiver of State Law and Regulation

The Board of Education believes that many state laws and regulations impede the district's progress toward achieving its mission. Therefore, the Board directs the superintendent to work with district legal counsel, the district accountability committee and school principals to:

1. Review state laws and regulations for which a waiver application can be filed.

2. Determine which state laws and regulations, if waived, would enhance educational opportunity and quality within the school district and reduce or eliminate costs that are significantly limiting educational opportunity within the district. This determination shall be made on a school-by-school basis and a district-wide basis.

3. Make recommendations to the Board regarding which state laws and regulations the Board should consider for waiver.

The Board must consider whether to apply for waivers in a public meeting that includes a public hearing. The Board shall consult with the district accountability committee concerning the intent to seek waivers at least 60 days prior to the scheduled public hearing.

In the Board meeting, which includes a public hearing, the Board shall adopt a resolution stating the Board's intent to apply for waivers and specifying the statutes or rules for which the Board will request waivers. In the waiver application, the Board shall state the manner in which the district will comply with the intent of the waived rule or statute and be accountable to the State Board of Education.

The Board shall post notice of the public meeting in three public places within the district not less than 30 days prior to the meeting. The notice shall include a description of the waivers to be considered. If there is a newspaper published in the county, the Board shall also publish notice once a week for four weeks prior to the meeting.

(Adoption date)

LEGAL REF.: C.R.S. 22-2-117 *(state board power to grant waivers)*

CROSS REF.: AE, Accountability/Commitment to Accomplishment

NOTE 1: Districts that have a funded pupil count of 3,000 or more pupils must demonstrate that an application for waiver has the consent of a majority of the district accountability committee (or the school-level accountability committee if the waiver is sought for only one school), and a majority of the licensed administrators and teachers of the affected school or district. However, these additional requirements do not apply to school districts with 3,000 or more students when the school district has been granted exclusive authority to charter schools within the geographic boundaries of the district, unless the district is asking for a waiver of certain laws pertaining to teachers.

NOTE 2: The State Board of Education cannot waive the following state laws:

- *school accountability reports (22-7-601 et seq.)*
- *state assessments (22-7-409)*
- *duties of board president and vice president (22-32-105)*
- *prohibition of tobacco products on school property (22-32-109 (1)(bb)(I))*
- *establishing program outside state boundaries (22-32-109 (2))*
- *attendance policy (22-33-104 (4))*
- *Public School Finance Act (22-54-101 et seq.)*
- *Exceptional Children's Educational Act (22-20-101 et seq.)*
- *provisions related to fingerprinting and criminal history record checks of personnel (22-32-109.7, 109.8, 109.9, 22-2-119)*
- *Children's Internet Protection Act (22-87-101 et seq.)*
- *student conduct and discipline code requirements (22-32-109.1 (2)(a))*

NOTE 3: Another process to seek waivers of state law and regulation is set out in the Innovation Schools Act of 2008, C.R.S. 22-32.5-109. A school district that has been designated as a district of innovation may seek waivers from the State Board in accordance with that law. A district of innovation may also seek a waiver from provisions of a collective bargaining agreement.