

Board of Education

Mesa County Valley School District 51

Business Meeting

November 17, 2009

Minutes

A - Diann Rice
 B - Cindy Enos-Martinez
 C - Harry Butler
 D - Leslie Kiesler
 E - Ron Rowley

Board of Education

Mesa County Valley School District 51

Business Meeting Minutes: November 17, 2009

Adopted: December 15, 2009

	A	B	C	D	E	AGENDA ITEM	ACTION
Present	x	x	x	x	x	A. CALL TO ORDER/PLEDGE OF ALLEGIANCE/ROLL CALL	6:00 pm
Absent						➤ Mrs. Kiesler welcomed attendees to the November, Board Business Meeting, and gave instructions for meeting participants to address the Board, under <i>Item G. Audience Comments</i> .	
Motion			x			B. AGENDA APPROVAL	Adopted
Second					x		As Presented
Aye	x	x	x	x	x		
No							
Motion		x				C. WORK SESSION SUMMARY & MINUTES APPROVAL	
Second					x	C-1. October 6, 2009, Work Session Summary	Adopted As Presented
Aye	x	x	x	x	x		
No							
Motion			x			C-2. October 20, 2009, Business Meeting Minutes	Adopted As Presented
Second					x		
Aye	x	x	x	x	x		
No							
Motion		x				C-3. October 29, 2009, Board Retreat Summary & Executive Session Record	Adopted As Presented
Second					x		
Aye	x	x	x	x	x		
No							
						D. RECOGNITIONS	
						D-1. Colorado High School Press Association Award: <i>GJHS Orange & Black</i> [Resolution: 09/10: 37]	
						➤ Mr. Rowley asked the students being recognized to come forward. He read the resolution honoring their award from the Colorado High School Press Association, and presented the Board's Certificates of Recognition. Eight students were recognized for their achievement in several different categories which included: International Commentary, Lifestyle Feature, Advertising, Staff Editorial, and Single Page Layout. Among the eight students named, four award winners had graduated in May. The award was based on the work accomplished in 2008-2009.	
						➤ The following current and former students were recognized: Sarah Bolton, McKenna Moe, Samantha Weinberg, Baylee Ragar, Jenny Jessup, Jessica Gillis, Kayden Horwitz, and Stephani Soto.	
						➤ The Board congratulated each student and the entire staff of the <i>Orange & Black</i> for their impressive work, passion and dedication to journalism.	
						E. BOARD REPORTS/COMMUNICATIONS/REQUESTS	
						➤ Mrs. Kiesler announced that Superintendent Schultz was absent from the meeting due to a family emergency.	
						➤ Mrs. Rice reported she attended the Alpine Bank Student of the Month Luncheon at Mesa State College. She commented the monthly luncheon is a wonderful opportunity to honor students and the partnerships with Alpine Bank and Mesa State College.	

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						<p>➤ Mr. Butler reported on his involvement with the Colorado Department of Education's Assessment Stakeholders' Committee, and provided information regarding the focus and principles of the committee. The report included the following:</p> <ul style="list-style-type: none"> • Emphasis on the main purpose which is to redesign and align an assessment system which will prepare all students for post secondary education and workforce readiness. The system will include summative and formative assessments with benchmarks. Relevance for students and teachers is a priority. • An overview of the process for individuals to apply to serve on subcommittees; the subcommittees are charged with providing feedback to the Stakeholders' Committee. The subcommittees are: School Readiness and Early Childhood Assessment, Postsecondary Readiness Assessment, Summative Assessment, Growth Subcommittee including formative (interim/benchmarks), and Assessment for Special Populations. • Mrs. Rice thanked Mr. Butler for representing the Board in this important work. <p>➤ Mr. Rowley reported his attendance at a recent Municipalities Meeting. He announced the ground breaking for the Fruita Recreation Center will take place on December 5, and gave the details for the Board to be involved with this event. The property was sold to Fruita by District 51 for community purposes.</p> <p>➤ Mrs. Kiesler reported on the Colorado Performance Excellence (CPEX) award presentation she attended in Denver. District 51 received the Foothills Award for performance in the Baldrige Aligned Management System. She read the inscription as stated on the award, noting the District had received the award previously and is continuing its efforts toward high performance. Mr. Rowley provided background information on CPEX, and stated the District is close to accomplishing the next level.</p> <p>➤ Mrs. Kiesler extended her appreciation to Mr. Rowley for his eight-years of service on the Board of Education. Mr. Rowley conveyed his appreciation to the Board and the staff of District 51.</p> <p>F. LEGISLATIVE REPORT: None at this time.</p> <p>G. AUDIENCE COMMENTS:</p> <p>➤ Ms. Sharon McCampbell, PO Box 692, Clifton, CO, 81520</p> <ul style="list-style-type: none"> • Ms. McCampbell, in her employment as a school-bus driver for the First Student Bus Company, asked the Board to support their efforts through the Teamster's Union to acquire improved wages and benefits. She acknowledged that her work and the work of her colleagues is provided to the district on a contractual-basis with First Student, and the District is not the direct employer. She indicated this is a hard time to ask for a raise; however, she believes the bus company can provide its employees with increased compensation. 	

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						<p>➤ Ms. Annette Teachout, 627 Colony Road, Clifton, CO 81520</p> <ul style="list-style-type: none"> Ms. Teachout, in her employment as a school-bus driver for the First Student Bus Company, provided a continuation of Ms. McCampbell's comments, by asking the Board to support the school bus drivers in their endeavor to acquire increases in salary and benefits. She conveyed her feelings and concerns for bus drivers who are single-parents, living in one of the lowest paid locations in the country. She emphasized the important work of the bus drivers in transporting students to and from school safely, everyday. <p>➤ Board members engaged in a short discussion and asked questions, regarding the turnover of bus drivers, wages, hours worked per day, and additional work through special trips. Board members thanked the many school bus drivers who came out to the meeting for their attendance.</p> <p>H. SUPERINTENDENT'S REPORT: In Mr. Schultz's absence, Mr. Larsen facilitated the instructional updates and the expulsion report. Mrs. Callahan deVita facilitated the presentation of the monthly business/investment reports.</p> <p>H-1. Instructional Update: Mr. Bill Larsen, Mrs. Deb Bailey & Mrs. Lesley Whitacre</p> <p>➤ Mrs. Whitacre gave a short update on Mr. Laase's condition since his recent surgery, and his progress toward returning to work.</p> <p>➤ Mrs. Whitacre, Assistant Executive Director of Elementary Schools, provided the following elementary intervention data through October 30:</p> <ul style="list-style-type: none"> Soar to Success: 30 sessions with 97 students participating, with 83% making progress; Do the Math: 27 sessions with 132 students participating, with 89% of students making progress; Lexia Reading software that supports the teaching and reading skills in both school and home: over 23,000 total logins have been reported in 24 elementary schools. Every school has used the program; there have been 850 total logins from home computers. Mrs. Whitacre will provide additional data next month. <p>➤ Mrs. Deb Bailey, Executive Director of Middle Schools, provided the following middle school intervention data and information:</p> <ul style="list-style-type: none"> 223 students receiving support in Lit Plus with 81% showing progress, and 221 students receiving support in Math Plus with 90% showing progress; 109 students are using Lexia, with 82% showing progress. Mrs. Bailey is pleased with the increased ability to pin point the right students for the interventions. <p>➤ Mr. Larsen reported the high school intervention information, which included updates on Progress Monitoring, Nova Net Program usage, and the Read 180 Pilot Program at Palisade High School.</p> <ul style="list-style-type: none"> Progress monitoring information was provided for each high school: Out of approximately 6,233 high school students, 1,272 are being monitored, which is 20.4%. 	

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						<ul style="list-style-type: none"> Mr. Larsen reported that a major component of progress monitoring is to keep students on track to graduate. Updates will be provided quarterly. The Read 180 Pilot Program at Palisade High School is continuing this year for ninth-grade students. Data indicates students are making adequate progress. The Nova Net online-program usage continues to climb. The numbers have increased; 6,700 hours were reported for October. Mr. Larsen reported Nova Net is making a significant difference. <p>➤ Mrs. Rice asked how students are identified for progress monitoring, as the numbers differ from school to school. Mr. Larsen replied that each school has different needs; identification is accomplished through consistent filtering.</p> <p>H-2. Business/Investment Reports: Mrs. Callahan deVita</p> <p>➤ Mrs. Callahan deVita provided the Board copies of the monthly Fuel Usage Report. She reported the year-to-year comparison of fuel consumption continues to drop during both September and October. Fuel prices remain below last year's levels. Continued work is being done to develop a more solid means of calculating miles per gallon for the district's fleet.</p> <p>➤ Mr. Rowley asked about the possibility of using compressed natural gas. Mrs. Callahan deVita indicated this is a viable option which will need researched, to work through the details and to identify needed investments.</p> <p>➤ Regarding the monthly business/investment reports, Mr. Rowley asked about the lower revenue. Mrs. Callahan deVita stated the revenue is what is expected at this time, due to the specific ownership tax continuing to lag behind last year's levels; this area will be watched closely.</p> <p>➤ The Board thanked Mrs. Callahan deVita for her reports.</p> <p>H-3. Expulsion Report: Mr. Bill Larsen</p> <p>➤ Mr. Larsen reported as of October 31, there had been 12 student expulsions, compared to 17 at the same time last year. He reviewed the disciplinary categories and the corresponding expulsion numbers as presented, and asked the board if they had any questions. No questions were asked at this time.</p> <p>I. EXECUTIVE SESSION: None at this time.</p> <p>J. CONSENT AGENDA [Resolutions 09/10: 33, 32, 35]</p> <p>J-1. Personnel Actions</p> <p>J-1-a. Licensed Personnel</p> <p>J-1-b. Support Personnel</p> <p>J-2. Gifts</p>	
Motion Second Aye No	x x	x x	x x	x x	x x		Adopted

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Motion Second Aye No	x	x	x	x	x	K. BUSINESS ITEMS K-1. Board Policy 2nd Reading & Adoption K-1-a. JK, Student Discipline K-1-b. JICI, Dangerous Weapons in the Schools K-1-c. JKD/JKE-E, Grounds for Suspension / Expulsion / Denial of Admission ➤ It was noted the above policies were revised due to changes in the Colorado Revised Statutes.	Adopted
Motion Second Aye No	x	x	x	x	x	K-2. 2009-2010 District Accountability Committee (DAC) [Resolution:09/10:34] ➤ Board members discussed the committee representation categories. Those categories include parents, community members, and district staff. The Board extended their appreciation for the service and partnership of the DAC membership.	Adopted
						L. BOARD OPEN DISCUSSION ➤ Board members engaged in conversation with Mrs. Callahan deVita, regarding the District's contract with First Student Bus Company. Several board members indicated they would like additional information, regarding the issues brought forward during the audience comment section of the meeting. Mrs. Callahan deVita will follow-up by providing information.	
						M. FUTURE MEETINGS: Reviewed.	
Motion Second Aye No	x	x	x	x	x	N. EXECUTIVE SESSIONS: Mrs. Kiesler asked for a motion and a second to hold an Executive Session for the following three purposes: (1) To determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e), specifically the Board's positions, strategy and instructions for negotiation of agreements with the MVEA to address actual and anticipated reductions in District revenue in the current budget year, as well as the 2010-2011 budget year. (2) To discuss, pursuant to C.R.S. Section 24-6-402(4)(h), an individual student matter where public disclosure would adversely affect the person involved, specifically, to hear a parent complaint under Board Policy KE, regarding a school's revocation of a student's athletic eligibility; and (3) To confer, pursuant to C.R.S. Section 24-6-402(4)(b), with the Board's attorney for the purpose of receiving legal advice on specific legal questions regarding the above-mentioned parent complaint and regarding contract and employment law issues that may arise in connection with various options to address reductions in District revenue. <u>Board Present:</u> Mr. Harry Butler, Mrs. Cindy Enos-Martinez, Mrs. Leslie Kiesler, Mrs. Diann Rice, Mr. Ron Rowley <u>Staff Present for (1):</u> Mrs. Melissa Callahan deVita, Mrs. Colleen Martin <u>Attorney Present (2)(3):</u> Mr. David Price At approximately 8:35 pm, the parent was invited into Executive Session (2), to provide a statement and answer questions, and was excused within five to seven minutes.	Adjourned to Executive Session: 7:02 pm

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						<p>➤ As the Board stood to adjourn to Executive Session, an unidentified gentleman in the audience asked to be heard. The Board allowed him to comment. He identified himself as a bus driver. He encouraged the Board, in future negotiations with the First Student Bus Company, to propose a benefit plan similar to what is available for the District's part-time employees, as bus drivers deserve the same opportunity for benefits.</p> <p>Executive Session Convened: 7:10 pm</p> <p>Adjourned Executive Session, Return to Open Meeting: 9:05 pm</p>	
<p>Motion Second Aye No</p>	<p>x x</p>	<p>x x</p>	<p>x</p>	<p>x</p>	<p>x</p>	<p>➤ Regarding Executive Session (2), In the matter of a parent complaint under Board Policy KE, regarding a school's revocation of a student's athletic eligibility; Mr. Rowley motioned to uphold the Superintendent's decision in this matter; Mrs. Enos-Martinez seconded the motion.</p>	<p>Adopted</p>
<p>Motion Second Aye No</p>	<p>x x</p>	<p>x x</p>	<p>x</p>	<p>x</p>	<p>x</p>	<p>O. MEETING ADJOURNED: 9:07 pm</p>	<p>Meeting Adjourned</p>
						<p>_____ Jamie Sidanycz, Secretary Board of Education</p>	

**Recognition:
2009-2010 CHSPA awards**

Board of Education Resolution: 09/10: 37

Presented: November 17, 2009

Each year, the Colorado High School Press Association recognizes student journalists and high school newspapers in 30 different categories in their Newspaper Sweepstakes.

Awards are given out at the annual CHSPA Journalism Day, held each October, to the first, second, and third place winners of each category.

This past October, Grand Junction High School's *Orange & Black* newspaper staff received eight awards for the work they did during the 2008-2009 school year. Entrants are judged based on three standards: Quality, Competence and Style.

The Board would like to recognize the following individuals and awards:

- Sarah Bolton – First place in the State, National, International Commentary category
- McKenna Moe – First place in the Entertainment, Lifestyle Feature category
- Samantha Weinberg – Second place in the Advertising Design category
- Baylee Ragar – Third place in the Staff Editorial category

Four award winners were students who graduated in May. They deserve recognition as well but were not able to be present at today's meeting. They are:

- Jenny Jessup – Second place in the Advertising Design category
- Jessica Gillis – Second place in the Advertising Design category
- Kayden Horwitz – Second place in the Single Page Layout category
- Stephani Soto – Honorable mention in the State, National, International News Package category

The Board of Education would like to congratulate the entire staff of the *Orange & Black* and the individual award winners for their impressive work, passion and dedication to journalism.

Board of Education Resolution: 09/10:33

Adopted: November 17, 2009

Name	School/Assignment	Effective Date
Resignations/Terminations		
Colleen Fjeseth	Fruitvale/SPED Moderate Needs	November 30, 2009
Jennifer Garrett	Clifton/Kindergarten	December 18, 2009
Julie Robuck	OMMS/SPED S.I.E.D.	November 13, 2009
Kara Williams	WMS/8 th Grade Literacy	October 23, 2009
Mimi Zuchowski	Chatfield/Speech Language	November 5, 2009
Sandra Harris	FMHS/SPED Resource	November 24, 2009
Leave of Absence		
None at this time.		
New Assignments		
Amanda Rich	Hawthorne/Psychologist	January 4, 2010
Linette Perez	Itinerate/ .2 Title I	October 12, 2009
Tricia Pipkin	Orchard Ave/4 th Grade	October 14, 2009

I hereby certify that the information contained in the above resolution is accurate and was adopted by the Mesa County Valley School District No. 51 Board of Education on November 17, 2009.

Jamie Sidanycz
Secretary, Board of Education

Board of Education Resolution 09/10: 32

Adopted: November 17, 2009

NAME	ASSIGNMENT	LOCATION	EFFECTIVE DATE
RETIREMENTS			
Parko, Janon	Night Custodian	Clifton Elementary	12/31/2009
RESIGNATIONS AND SEPARATIONS			
Bowers, Sara A	Instructional Asst	Sped Thunder Mountain Elementary	12/4/2009
Brown, Glenn L	Night Custodian	Central High School	10/19/2009
Corkran, Valerie A	Instructional Asst	Dual Immersion Academy	10/1/2009
Horner, Leomarys N	Instructional Asst	Allocatn Pear Park Elementary	10/30/2009
ASSIGNMENTS			
Baldwin, Marsha D	Instructional Asst	Reading Rim Rock Elementary	10/20/2009
Bennett, Georgia D	Instructional Asst	Sped Fruita Middle School	10/6/2009
Hackenberg, Tracy M	Instructional Asst	Fruitvale Elementary	10/7/2009
Hallam, Diana L	Instructional Asst	Tech Broadway Elementary	10/5/2009
Southam, Pamela S	Attendance Secretary	Fruita Middle School	10/7/2009
Stanek, Kelly J	Instructional Asst	Sped Fruitvale Elementary	10/7/2009
LEAVES OF ABSENCE (None at this time)			

I hereby certify that the information contained in the above resolution is accurate and was adopted by the Mesa County Valley School District No. 51 Board of Education on November 17, 2009.

Jamie Sidanycz
Secretary, Board of Education

Board of Education Resolution: 09/10: 35

Adopted: November 17, 2009

Donor	Nick and Willy's Pizza
Gift	Pizza and salad for twenty people
Value	\$100.00
School/Department	Community Partnership Program

Donor	Cumulus Broadcasting
Gift	Three boxes of backpacks, notebooks and misc. school supplies
Value	\$500.00
School/Department	R.E.A.C.H. Program

Donor	Altrusa International Inc. of Grand Junction
Gift	Cash
Value	\$250.00
School/Department	R.E.A.C.H. Program / Preventive Services

Donor	Bookcliff Gardens
Gift	Tree
Value	\$85.00
School/Department	Taylor Elementary / Kids Voting "Wish Tree"

Donor	Richard Gibson
Gift	¾ Cello with bow and case
Value	\$850.00
School/Department	West Middle School / Orchestra

Donor	Evelyn Smith
Gift	Cash
Value	\$50.00
School/Department	Bookcliff Middle School / Chess Club

Donor	Best Buy
Gift	Ten \$10.00 gift cards
Value	\$100.00
School/Department	Mt. Garfield Middle School / Math and Science Night

Donor	King Soopers
Gift	Gift card
Value	\$30.00
School/Department	New Staff Induction

Board of Education Resolution: 09/10: 35

Adopted: November 17, 2009

Donor	Tequilla's Mexican Restaurant
Gift	Lunch for 18 people
Value	\$150.00
School/Department	World Language Teachers / World Language Meeting

Donor	Western Rockies Federal Credit Union
Gift	300 checkbook practice kits
Value	\$450.00
School/Department	Career Center / Math classes

Donor	Anonymous
Gift	Cash
Value	\$5,000.00
School/Department	Clifton Elementary / Bicycles for Students -- Star Assembly Awards

Donor	Mr. and Mrs. William Harding Jr.
Gift	Clarinet
Value	\$200.00
School/Department	Music Education Office / Band Program

Donor	No Coast Sushi
Gift	Cash
Value	\$100.00
School/Department	West Middle School / 8 th Grade Amazing Race

Donor	Genghis Grill
Gift	Twenty-four free dinner coupons
Value	\$216.00
School/Department	West Middle School / 8 th Grade Amazing Race

Donor	Party Land
Gift	Forty \$5.00 off coupons
Value	\$200.00
School/Department	West Middle School / 8 th Grade Amazing Race

Donor	Jolley Smiles
Gift	Cash
Value	\$200.00
School/Department	West Middle School / 8 th Grade Amazing Race

Donor	Barnes & Noble Booksellers
Gift	Eight books
Value	\$40.00
School/Department	West Middle School / 8 th Grade Amazing Race

Board of Education Resolution: 09/10: 35

Adopted: November 17, 2009

Donor	Main Street Bagels
Gift	Twelve bagels
Value	\$5.00
School/Department	West Middle School / 8 th Grade Amazing Race

Donor	Grand Junction Orthodontics, P.C.
Gift	Cash
Value	\$100.00
School/Department	West Middle School / 8 th Grade Amazing Race

Donor	Whitewater Building Materials
Gift	Cash
Value	\$100.00
School/Department	West Middle School / 8 th Grade Amazing Race

Donor	Regal Cinemas
Gift	Twenty-four movie passes
Value	\$180.00
School/Department	West Middle School / 8 th Grade Amazing Race

Donor	Heritage Title Company
Gift	Chairs, conference table, metal cabinet and other furniture
Value	\$6,000.00
School/Department	Fruita Middle School / Main Office, Health Office, Counselor Office

Donor	Qdoba Mexican Grill
Gift	Dinner
Value	\$400.00
School/Department	District Accountability Committee / DAC dinner

Donor	Enstrom Candies
Gift	Coupons for ice cream or coffee
Value	\$112.50
School/Department	Building United Way Coordinators / Thank you gifts

NOW THEREFORE BE IT RESOLVED the Mesa County Valley School District 51 Board of Education, in accepting the donations listed above, extends their appreciation and acknowledges these important partnerships within the community which support learning for all students.

STUDENT DISCIPLINE

Related: JK-R

Adopted: November 17, 1987

Revised: August 18, 1998

Readopted: November 17, 2009

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

All policies and procedures for handling general and major discipline problems for all students of the district shall be designed to achieve these broad objectives. Disorderly students also shall be dealt with in a manner which allows other students to learn in an atmosphere which is safe, conducive to the learning process and free from unnecessary disruptions.

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

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

All Board-adopted policies and Board-approved regulations containing the letters "JK" in the file name shall be considered as constituting the discipline section of the legally-required code.

The superintendent shall arrange to have the conduct and discipline code distributed once to each student in elementary, middle, and high school and once to each new student in the district. Copies shall be posted in each school of the district. In addition, any significant change in the code shall be distributed to each student and posted in each school.

Enforcement of discipline code

All discipline policies and procedures must conform with requirements of law. Discipline policies and procedures may include acts of reasonable and appropriate physical intervention or force in dealing with disruptive students which are not in conflict with the legal definition of child abuse. An act of a teacher or other employee shall not be considered child abuse if the act was performed in good faith and in compliance with Board policy and procedures.

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

Disciplinary information

In accordance with state law, the principal or designee is required to communicate disciplinary information concerning any student enrolled in the school to any teacher who has direct contact with the student in the classroom and to any counselor who has direct contact with the student. The purpose of this requirement is to keep school personnel apprised of situations that could pose a risk to the safety and welfare of others.

For purposes of this policy, "disciplinary information" means confidential records maintained by or in possession of the principal or designee on an individual student which indicate the student has committed an overt and willful act which constitutes a violation of the district's code of student conduct and/or there is reasonable cause to believe, through information provided to the principal from another credible source, that the student could pose a threat to the health and safety of other students and school personnel based on prior misbehavior.

"Disciplinary information" is intended to include only that information of a serious nature that is not otherwise available to teachers and counselors as part of the education records maintained on students or other reports of disciplinary actions.

STUDENT DISCIPLINE

Related: JK-R

Adopted: November 17, 1987

Revised: August 18, 1998

Readopted: November 17, 2009

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It is appropriate for instructional staff members to request disciplinary information from the principal or designee on students in their classrooms if there is concern that the student poses a threat to the safety of other students or school officials.

Any teacher or counselor to whom disciplinary information is reported shall maintain the confidentiality of the information and shall not communicate it to any other person. The principal or designee is required to inform the student and the student's parent or guardian when disciplinary information is communicated and to provide a copy of the disciplinary information. The student and/or the student's parents or guardian may challenge the accuracy of disciplinary information through the process outlined in Board policy and administrative regulations concerning challenges to the content of education records (JRA/JRC, JRA/JRC-R).

Discipline of Habitually Disruptive Students

A student who has been suspended three times during the course of the school year for causing a material and substantial disruption in the classroom, on school grounds, in school vehicles or at school activities because of behavior that was initiated, willful, and overt on the student's part may be declared to be "habitually disruptive." The student and the parent, guardian or legal custodian of the student shall have been notified in writing of each suspension counted toward declaring the student as habitually disruptive. Declaration as an habitually disruptive student shall be grounds for suspension or expulsion of a student.

The student shall be required to participate in an individual remedial discipline plan that shall address the child's disruptive behavior, his or her educational needs and the goal of keeping the child in school. No student shall be declared habitually disruptive prior to the development and implementation of a remedial discipline plan. The remedial discipline plan shall be developed after the first suspension for a material and substantial disruption and reviewed and, if appropriate, modified after the second suspension. The district shall encourage and solicit the full participation of the child's parent, guardian or legal custodian in the development of the remedial discipline plan.

Discipline of Special Education Students

Appropriate discipline for special education students shall be determined by the student's individual education plan (IEP). The director of pupil services shall be contacted prior to the use of any disciplinary measure which is not authorized by the student's IEP as additional procedural considerations are required in accordance with the district's responsibilities under state and federal law.

Legal References:

- C.R.S. 18-6-401(1) (definition of child abuse)
- C.R.S. 22-32-109.1(2)(a) (adoption and enforcement of conduct and discipline code)
- C.R.S. 22-32-109.1(2)(a)(III) (discipline of habitually disruptive students is required part of safe schools plan)
- C.R.S. 22-32-109.1(9) (immunity provisions in safe schools law)
- C.R.S. 22-33-106 (1)(c.5) (habitually disruptive students)
- C.R.S. 22-32-126(5) (communication of disciplinary information to teachers/counselors)
- C.R.S. 22-33-106(1)(a-f) (grounds for suspension, expulsion and denial of admission)
- C.R.S. 22-33-202 (identification of at-risk students)

Cross References:

- JIC, Student Conduct, and subcodes
- JK subcodes (all relate to discipline)
- JRA/JRC, Student Records

DANGEROUS WEAPONS IN THE SCHOOLS

Adopted: November 17, 1987

Revised: October 15, 1996

Revised: October 20, 1998

Policy Manual Review: August 6, 2002

Readopted: November 17, 2009

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The Board of Education determines that possession and/or use of a weapon by students on school property or at school activities is detrimental to the welfare and safety of the students and school personnel within the district.

Mandatory expulsion in accordance with state and federal law

Carrying, bringing, using or possessing a dangerous weapon in any school building, on school grounds, in any school vehicle, at any school-sponsored or district-sponsored activity or event, or off school property when the conduct has a reasonable connection to school or any district curricular or non-curricular event without the authorization of the school or the school district is prohibited. An exception to this policy may be made for students participating in an authorized extra curricular activity or team involving the use of firearms.

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

- a. A firearm, whether loaded or unloaded;
- b. Any pellet or "beebee" gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air;
- c. A fixed blade knife with a blade that measures longer than three inches in length or a spring loaded knife or a pocket knife with a blade longer than three and one-half inches, or
- d. Any object, device, instrument, material, or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury including, but not limited to a slingshot, bludgeon, brass knuckles or artificial knuckles of any kind.

The possession or use of any such weapon shall require that proceedings for the expulsion of the student involved shall immediately be initiated by the principal. In accordance with federal law, expulsion shall be for no less than one full calendar year for a student who is determined to have brought a firearm to school in violation of this policy. However, if a student discovers that he or she has inadvertently carried, brought or is in possession of a dangerous weapon and the student notifies a teacher, administrator or other authorized person in the school district, and as soon as possible delivers the dangerous weapon to that person, expulsion shall not be mandatory and such action shall be considered when determining appropriate disciplinary action, if any. The Superintendent may modify the length of this federal requirement for expulsion on a case-by-case basis.

Discretionary Discipline in Accordance with State Law

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

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

DANGEROUS WEAPONS IN THE SCHOOLS

Adopted: November 17, 1987

Revised: October 15, 1996

Revised: October 20, 1998

Policy Manual Review: August 6, 2002

Readopted: November 17, 2009

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

Legal References: 18 U.S.C. §921 (a)(3) (federal definition of "firearm")
 20 U.S.C. §7151 (Gun-Free Schools Act)
 C.R.S. 18-12-105.5(1)
 C.R.S. 22-32-109.1(2)(a)(VII) (policy required as part of safe schools plan)
 C.R.S. 18-1-901(3)(e) (definition of "deadly weapon")
 C.R.S. 22-33-106 (1)(d),(f) (grounds for suspension, expulsion and denial of admission)

Cross References: JKD/JKE, Student Suspension/Expulsion
 KFA, Public Conduct on School Property or at School Activities

NOTE: As a condition of receiving federal funds the district is required to expel for one calendar year students who bring firearms to school. The district is required to include a description of the circumstances surrounding these expulsions, the name of the school concerned, the number of students expelled and the type of weapons.

The language allowing the superintendent to modify the length of expulsion on a case-by-case basis is intended to permit the district to discipline students with disabilities and maintain eligibility for federal financial assistance. It is important to note that federal law requires that educational services must continue for students with disabilities who are properly expelled, although they may be provided in another setting.

GROUND FORS SUSPENSION/EXPULSION/DENIAL OF ADMISSION

Related: JKD/JKE, JKD/JKE-R

Effective: November 16, 1993

Revised: August 3, 1998

Revised: August 6, 2002

Readopted: November 17, 2009

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According to Colorado Revised Statutes 22-33-106(1)(a-f) and 3(e) and 22-12-105 (3), the following shall be grounds for suspension or expulsion from school:

1. Continued willful disobedience or open and persistent defiance of proper authority.
2. Willful destruction or defacing of school property.
3. Behavior on or off school property which is detrimental to the welfare or safety of other pupils or of school personnel including behavior which creates a threat of physical harm to the child or other children.
4. Declaration as a habitually disruptive student
 - a. For purposes of this paragraph, "habitually disruptive student" means a child who has been suspended pursuant to paragraph (1), (2), (3), or (5) of this exhibit three times during the course of the school year for causing a material and substantial disruption in the classroom, on school grounds, in school vehicles or at school activities or events because of behavior that was initiated, willful and overt on the part of the child. Any student who is enrolled in a public school may be subject to being declared an habitually disruptive student.
 - b. The student and the parent, legal guardian, or legal custodian shall have been notified in writing of each suspension counted toward declaring the student as habitually disruptive, and the student and parent, legal guardian or legal custodian shall have been notified in writing and by telephone or other means at the home or the place of employment of the parent or legal guardian of the definition of "habitually disruptive student."
 - c. No child shall be declared to be a habitually disruptive student prior to the development of a remedial discipline plan for the child that shall address the child's disruptive behavior, his or her educational needs, and the goal of keeping the child in school. The remedial discipline plan shall be developed after the first suspension for a material and substantial disruption and reviewed and modified after the second suspension. The district shall encourage and solicit the full participation of the child's parent, guardian, or legal custodian in the development of the remedial discipline plan. (See Policy JK and Reg. JK-R).
5. Serious violations in a school building or in or on school property, except that **expulsion shall be mandatory for the following violations:** carrying, bringing, using or possessing a dangerous weapon without the authorization of the school or the school district, except that if a student discovers that he or she has inadvertently carried, brought or is in possession of a dangerous weapon and the student notifies a teacher, administrator or other authorized person in the school district, and as soon as possible delivers the dangerous weapon to that person, expulsion shall not be mandatory, the sale of a drug or controlled substance as defined in C.R.S. §12-22-303 or the commission of an act which if committed by an adult would be robbery pursuant to Part 3, Article 4, Title 18, C.R.S. or assault pursuant to Part 2, Article 3, Title 18, C.R.S. other than the commission of an act that would be third degree assault under C.R.S. 18-3-204 if committed by an adult.

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

- a. A firearm, whether loaded or unloaded;
- b. Any pellet or "beebee" gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air;

GROUND FORS SUSPENSION/EXPULSION/DENIAL OF ADMISSION

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- c. A fixed blade knife with a blade that measures longer than three inches in length or a spring loaded knife or a pocket knife with a blade longer than three and one-half inches, or
 - d. Any object, device, instrument, material, or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury, including but not limited to a slingshot, bludgeon, brass knuckles or artificial knuckles of any kind.
6. Repeated interference with a school's ability to provide educational opportunities to other students.
 7. Carrying, using, actively displaying, or threatening with the use of a firearm facsimile that could reasonably be mistaken for an actual firearm in a school building or in or on school property.
 8. Failure to comply with the provisions of Part 9, Article 4, Title 15, C.R.S. (immunization requirements). Any suspension, expulsion or denial of admission for such failure to comply shall not be recorded as a disciplinary action but may be recorded with the student's immunization record with an appropriate explanation.
 9. Making a false accusation of criminal activity against a district employee to law enforcement or to the district.

According to C.R.S. Section 22-33-106 (2), subject to the district's responsibilities under Article 20 of that title (Exceptional Children's Education Act), and applicable federal law, the following shall be grounds for expulsion from or denial of admission to a public school or diversion to an appropriate alternate program:

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

According to C.R.S. Section 22-33-106 (3), subject to the district's responsibilities under Article 20 of that title (Exceptional Children's Education Act), and applicable federal law, the following shall be additional grounds for denial of admission:

1. Graduation from the twelfth grade of any school or receipt of any document evidencing completion of the equivalent of a secondary curriculum.
2. Failure to meet the requirements of age, by a child who has reached the age of six at a time after the beginning of the school year, as fixed by the board of education, as provided in section 22-1-115, C.R.S.
3. Having been expelled from any school district during the preceding twelve months.
4. Not being a resident of the district, unless otherwise entitled to attend under the provisions of article 23, 32 or 36 of Title 22, C.R.S.
5. Failure to comply with the provisions of Part 9 of Article 4 of Title 25, C.R.S. Any denial of admission for such failure to comply shall not be recorded as a disciplinary action but may be recorded with the student's immunization record with an appropriate explanation.
6. Behavior in another school district during the preceding twelve months that is detrimental to the welfare or safety of other pupils or of school personnel.

Board of Education Resolution 09/10: 34

Adopted: November 17, 2009

<i>Current Member Name</i>	<i>Representative Area</i>
Darryl Aday	Parent (Co Chairman)
Lee Carleton	Parent; High School Representative
Mark Fugere	Community Representative
Leigh Grasso	Middle School Representative
Jerri Hahnenberg	Elementary School Representative
J D Heithoff	Parent
Brandy Hinkle	Community Representative
Nancy Hoffman	Parent
Brigham Leane	Parent; Middle School Representative
Doug Levinson	Parent; Elementary School Representative
Jean McFall	Community Representative
Jennifer Morrell	Elementary School Teacher
Andy Nikkari	Parent
Sherry Price	Parent (Chairman)
Rose Fernia Pugliese	Community Representative
Gary Roahrig	Community Representative

I hereby certify that the information contained in the above resolution is accurate and was adopted by the Mesa County Valley School District No. 51 Board of Education on November 17, 2009.

Jamie Sidanycz
Secretary, Board of Education