

Student Rights and Responsibilities

2024-2025



Code of Conduct and Discipline

Board of Education End Goals

I. Academic Excellence

- A. All students have equitable access to a Douglas County public school that promotes growth in their cognitive, physical, social and emotional needs and builds on their strengths.
- B. Academic expectations are clearly articulated and supported with an appropriate curriculum that includes content, scope and sequence.
- C. Every student has equitable opportunity to acquire the knowledge and skills that will ensure performance at his/her highest individual potential.
- D. A diverse set of educational options are provided which enables students to pursue different post secondary options (e.g. college, career and technology education, independent living, military or direct entrance into the workforce).
- E. Students graduate with acquired content and cultural knowledge, workforce readiness, interpersonal skills, civic responsibility, global awareness, independent living and an understanding of the essentials for health and wellness.

II. Outstanding Educators and Staff

- A. Quality educators and staff have been recruited, developed, supported, retained and celebrated.
- B. A positive, growth-oriented performance assessment system has been identified, adopted, and implemented.
- C. Research-based professional development opportunities are consistently provided, reflect best practices, allow for innovation, and promote lifelong learning.
- D. Communication between and among students, parents, community, educators and staff is frequent, collaborative, and helpful.
- E. Educators and staff are valued and given multiple opportunities for their voices to be heard.

III. Safe, Positive Culture and Climate

- A. A purposeful focus on creating a caring, safe, fun, supportive, and positive learning and working environment for all students, District employees, parents, and community is manifest throughout the District.
- B. There is clear evidence and a common understanding of the shared belief that all students can succeed when given a safe and caring learning environment. To that end:
 - 1. District employees, parents, and community work collaboratively, proactively, and responsibly to ensure the psychological wellbeing of all students.

Board of Education End Goals

- 2. A focused level of teamwork and professional development is on-going among District employees, community, and law enforcement agencies to ensure the physical safety of students, District employees and visitors.
- C. Behavior Expectations, are clearly articulated, supported, and taught.
- D. Multiple communication systems are available and used by students, District employees, parents, and community to ensure all voices are heard.

IV. Collaborative Parent, Family, and Community Relations

- A. Parents, guardians, families, and community members partner with each other and the District to empower students to maximize their individual educational experience.
- B. Collaboration with community, business, government, educational, and organizational leaders is sought to provide opportunities for students to create positive change and provide service in our community.
- C. Schools are the center of community learning, entertainment and gathering.
- D. Multiple effective pathways for communication are available to all parents, guardians, families, community members, and District employees and are conducted with respect and kindness.

Core Values

Educational Excellence

High expectations are the focus of everything we do. We challenge all people to acquire a foundation of knowledge and academic skills, and to achieve their highest potential.

Human Diversity

Varied beliefs and backgrounds strengthen a public education system. We respect differences which contribute to a better society for all human beings.

Individual Potential

Individuals develop within an environment that nurtures intellectual, social, emotional, physical and aesthetic growth.

Lifelong Learning

Education is a process that begins at birth and continues throughout life. We foster curiosity, motivation and the desire to learn that extends beyond school settings.

Productive Effort

The pursuit of greater knowledge and more powerful thinking demands hard work, perseverance and commitment.

Shared Responsibility

The partnerships among parents, students, staff and community members are characterized by mutual commitment and collaborative effort.

Ethical Behavior

Our actions are distinguished by the highest standards of personal behavior, including trust, honesty, fairness, integrity and mutual respect.

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Student Rights And Responsibilities

STUDENT RIGHTS AND RESPONSIBILITIES / DUE PROCESS RIGHTS

Each student has the opportunity and the right to use school as a means for self-improvement and individual growth. In so doing, he/she is expected to conduct him or herself in a manner compatible with the school's function as an educational facility, and in accordance with District policies and regulations concerning student conduct and discipline, including but not limited to suspension, expulsion and classroom removal. Conduct that disrupts or threatens to disrupt the operation of a school, that interferes in any way with the public or private rights of other students or citizens, that threatens or endangers the health or safety of any person, or that damages property, will not be tolerated and will result in disciplinary action.

It is the intent of the District to afford vigilant protection of the constitutional freedoms of all school personnel and students, and to guarantee those protections as provided in the Constitution, including the rights of free inquiry and expression, the right to freedom of association, and the right to administrative due process.

Of equal importance is the right of school authorities to prescribe and control, consistent with fundamental and constitutional safeguards, student conduct in the schools, on school grounds, at school sanctioned activities and events, and while being transported in school approved vehicles.

1. **Freedom of Expression** - Students may freely express their points of view, provided they do not seek to coerce others to join in their way of expression and provided also that they do not substantially disrupt school operations, intrude upon the rights of others, or endanger the health and/or safety of other students or school personnel.
2. **Personal Appearance** - Restrictions on a student's hairstyle or manner of dress will be imposed when there is a "clear and present danger" to the student's health and/or safety, or where the behavior causes an interference with work, or creates classroom or school disorder. Participation in voluntary activities may make it necessary to impose specific requirements for grooming and dress, due to the nature of the activity.
3. **The Right to Petition** - Students are allowed to present petitions to the administration at any time. Collecting signatures on petitions is limited to before and after school hours. No student will be subjected to disciplinary measures of any kind for signing a petition to the administration - assuming that the petition is free of obscenities, libelous statements, personal attack, or advocating disruption which poses a threat to the regular school program, and is within the bounds of reasonable conduct.
4. **Student Property** - A student's person and/or personal effects in his/her possession (e.g. purse, book bag, etc.) may be searched whenever a school

authority has reasonable suspicion to believe that the student is in possession of illegal or unauthorized materials. Student lockers and desks are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their lockers. Periodic general inspections of locker contents may be conducted by school authorities for any reason at any time without notice, without student consent, and without a search warrant. Locker clean-out sessions will be conducted as determined by the principal. Such clean-outs will be to dispose of waste materials, recover missing books and other school property, and for other reasons as determined by the principal.

5. **Textbooks and Library Resources** - Students are responsible for the proper care of school textbooks and library resources that are provided for their use. Students who damage or fail to return school textbooks and/or library resources shall be responsible for the cost of replacing them. Student payment of such replacement costs may be enforced by withholding the diploma, transcript, or grades of any student who fails to return a textbook or library resources or to replace a textbook or library resources damaged by the student at the completion of any semester or school year, and/or by refusing to allow the student to participate in any school graduation or continuation ceremony. Before these methods of enforcement are implemented with respect to any student, the school shall make other reasonable efforts to obtain payment for the textbook(s) or library resource(s). If the school determines that a student is unable to pay the full amount of a textbook or library resource at one time, it may obtain payment through other methods, including but not limited to payment plans or service at the school where the student is enrolled.
6. **Student Involvement in School Affairs** - While on school grounds, in school facilities, at school-sponsored activities, when being transported in vehicles approved by the District, or off school property when their conduct has a nexus to school or any District curricular or non-curricular activity or event, students shall comply with District policies and regulations pertaining to student conduct. Students shall have the right to participate, as suitable to their age and maturity, in decision making processes; student government; and student organizations. They shall have the constitutional rights to freedom of assembly and expression, and the right to possess and distribute literature, as set forth in District policies pertaining to student organizations and publications.

SECTION A: Student Conduct Policies

STUDENT CONDUCT (See Board Policy JIC/JICDA)

Public schools provide students with the opportunity for self improvement and individual growth. School authorities have the right to control student conduct. Students are expected to conduct themselves at all times in a manner which is compatible with the school's function as an education facility, and in accordance with District policies and regulations concerning student conduct and discipline, including but not limited to the grounds for suspension, expulsion, and classroom removal. Conduct which disrupts or threatens to disrupt the operation of a school, which interferes in any way with the rights and privileges of other students or citizens, which endangers the health or safety of any person, or which damages property, will not be tolerated and will result in disciplinary action.

WEAPONS IN SCHOOL (See Board Policy JICI)

Carrying, bringing, using, or possessing a dangerous weapon in a school building, on school grounds, in any school vehicle, or at any school-sponsored activity without the authorization of the school principal or the District is prohibited.

"Dangerous weapons" include, but are not limited to:

1. Firearms, loaded or unloaded.
2. Pellet or BB guns or other devices, whether operational or not, designed to propel projectiles by spring action or compressed air.
3. Fixed-blade knives with blades that measure longer than three inches in length or spring-loaded knives or pocket knives with blades that measure longer than three and one-half inches in length (the knife blade will be measured from the hilt to the top of the blade); and any knives, regardless of length, which a student uses or presents in a threatening manner.
4. Another object, device, instrument, material, or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury.
5. Any other object identified and defined as a dangerous weapon by state statute.

For purposes of this policy, a "firearm" includes:

1. Any weapon, including a starter gun, which will, or is designed to, or may readily be converted to expel a projectile by the action of an explosive;
2. The frame or receiver of any such weapon;
3. Any firearm muffler or firearm silencer; or
4. Any explosive, incendiary, poison gas, bomb, grenade, or similar device.

School staff members shall confiscate dangerous weapons possessed in violation of this policy and submit them to the appropriate school administrator. Law enforcement authorities shall also be contacted in accordance with applicable law.

Mandatory expulsion

The principal shall initiate expulsion proceedings for students who carry, bring, use or possess a firearm in a school building, on school grounds, in any school vehicle, or at any school-sponsored activity. Unless expulsion is otherwise required by federal law, a student may, but need not, be expelled for violating this policy if, as soon as possible upon discovering that he or she is in possession of a dangerous weapon, the student notifies and delivers the weapon to a teacher, administrator, or other authorized person.

Expulsion shall be for one calendar year for any student who is determined to have brought a firearm to school without the authorization of the school or the District. The superintendent may modify the length of this required expulsion period on a case-by-case basis. Such modification must be in writing. Any student bringing a firearm or other dangerous weapon to school shall be referred to the criminal justice or juvenile delinquency system.

Student possession or use of fixed-blade knives with blades that measure less than three inches in length or pocket knives with blades that measure less than three and one-half inches in length (the knife blade will be measured from the hilt to the tip of the blade), box cutters, razor blades, hobby knives and similar instruments without the specific authorization of a school official is prohibited. The possession or use of such items without authorization may be grounds for disciplinary action including, but not limited to suspension or expulsion.

Discretionary discipline

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.

STUDENT INVOLVEMENT REGARDING DRUGS AND ALCOHOL (See Board Policy JICH and JICH-R)

“Drugs” are all substances defined under federal and state statutes as “drugs” or “controlled substances,” as well as counterfeit drugs, substances falsely represented as being drugs, and drug-containing paraphernalia.

“Legal drugs” are defined as over-the-counter and prescription drugs, including vitamins and other dietary supplements, that are properly possessed and used by the person for whom they are intended. However, marijuana dispensing, usage or possession is not considered a “legal drug” under federal law or District policy. In Colorado, marijuana dispensing, usage or possession is illegal for individuals under the age of 21.

“Illegal drugs” are all drugs not defined herein as legal drugs.

Student distribution, gift/exchange, sale, use, possession, purchase or being under the influence of alcohol or illegal drugs is prohibited in all District schools, on all school grounds and District property, at any school-sanctioned activities, when students are being transported in vehicles dispatched by the District, and at any time or in any place where the student’s conduct interferes with or disrupts the educational program or operations of the District.

A violation shall subject a student to appropriate disciplinary action, up to and including expulsion and referral for prosecution. The District reserves the right to expel students where there is a sufficient connection between the off-campus behavior and the school, notwithstanding other provisions in this policy and regardless of whether it is a first-time offense. In appropriate circumstances, disciplinary sanctions may include the completion of an approved drug or alcohol abuse rehabilitation program. The regulations shall be in keeping with applicable laws and shall be observed by all staff members. Appropriate procedures shall be followed by all school personnel in working with students who may:

1. Be under the influence of alcohol or illegal drugs on school property, at school-sanctioned activities, while being transported on school approved vehicles, or at any time or in any place where the student’s conduct interferes with or disrupts the educational program or operations of the District;
2. Use or possess alcohol or illegal drugs on school property, at school-sanctioned activities, while being transported on school approved vehicles, or at any time or in any place where the student’s conduct interferes with or disrupts the educational program or operations of the District; and/or
3. Be engaged in acts of giving/exchanging, selling, distributing, purchasing alcohol or illegal drugs on school property, at school-sanctioned activities, while being transported on school approved vehicles, or at any time or in any place where the student’s conduct interferes with or disrupts the educational program or operations of the District.

Disciplinary action, including suspension and/or expulsion, will be taken in cases involving student distribution, gift/exchange, sale, use, possession, purchase or being under the influence of alcohol or illegal drugs in any District school, on any school grounds and District property, at any school-sanctioned activities, when students are being transported in vehicles dispatched by the District, or at any time or in any place where the student’s conduct interferes with or disrupts the educational program or

operations of the District.

General Procedures (note that the District's authority to suspend or expel a student shall not be compromised in any manner by the failure to follow these general procedures):

1. Students who are or appear to be under the influence of alcohol or illegal drugs on school property, at school-sanctioned activities, when being transported in vehicles dispatched by the District, or at any time or in any place where the student's conduct interferes with or disrupts the educational program or operations of the District will be handled in the following manner:
 - a. If a student appears to be displaying unusual behavior in or out of the classroom because of the possibility of current or prior use of alcohol or drugs, the staff member will notify the administrator or designee, who will observe the student.
 - b. When necessary, standard emergency procedures will be followed.
 - c. Parents must be contacted as soon as possible. When contacting parents or the designated person on the student's emergency contact list, advise them that the child is displaying unusual or dangerous behavior. Describe the behavior but do not attempt to diagnose the student's condition.
 - d. While waiting for parents or further medical aid, the student will not be left alone, but placed in a quiet situation where the student will remain under observation.
 - e. The school staff member(s) who observed the display of unusual behavior will file a written description with the principal to include the date, time, and place of the occurrence.
 - f. Records of student drug and alcohol offenses noting date, type of offense, and disciplinary action taken will be kept at the local school and forwarded to the next District school the student will be attending.
 - g. If it is determined by the administrator that the student is under the influence of an illegal drug or alcohol, the appropriate law enforcement agency will be called.
2. Students who use or possess alcohol or illegal drugs on school property, at school-sanctioned activities, or when being transported in vehicles dispatched by the District, or any time or in any place where the student's conduct interferes with or disrupts the educational program or operations of the District, will be handled in the following manner:
 - a. A school staff member who comes in contact with evidence and/or prohibited items will notify an administrator immediately.
 - b. A school staff member who has reasonable suspicion to believe that a student is in possession of alcohol or illegal drugs will request that the student accompany him/her to the principal or designee. If the student refuses, the staff member will notify the principal or designee immediately. If this occurs, the staff member should make every effort to remain with the student while using other means to contact the principal or principal's designee.
 - c. The principal or designee will attempt to obtain evidence by directly requesting it from the student or through search procedures that are outlined in Policy J1H.
 - d. If the substance is suspected to be alcohol or illegal drugs, the principal

- or principal's designee may arrange for the testing of the evidence to determine its contents. When appropriate, the principal or designee will then place the evidence in an envelope or other suitable container. The envelope or container will be sealed, dated, and initialed by the individual who originally obtained the materials and the principal or designee, and then placed in the school safe.
- e. The principal or designee will contact the parent or guardian as soon as possible, and will call the appropriate law enforcement agency and request that an officer pick up the sealed envelope or container holding the substance. This will be handed to the officer personally by the principal or designee.
 - f. Written documentation must be made by the school staff member(s) initiating the procedure and by the administration to include description, date, time, place of occurrence, and written admission by the student, if obtained.
3. Students who are engaged in distributing, selling, giving/exchanging alcohol or illegal drugs on school property, at school-sanctioned activities, when students are being transported in vehicles dispatched by the District, or at any time or in any place where the students' conduct interferes with or disrupts the educational program or operations of the District will be handled in the following manner:
 - a. If an employee is a witness to an act in which suspected alcohol or illegal drugs are being transferred from one student to another, the staff member will immediately attempt to detain the students and request that they accompany him/her to the principal or designee. If the student(s) refuse, the staff member will notify the principal or designee immediately. If this occurs, the staff member should make every effort to remain with the student(s) while using other means to contact the principal or principal's designee.
 - b. Follow the same procedure for handling evidence and/or prohibited items as outlined in paragraphs 2.c. through 2.f. above.

Consequences for Students Who Use, Possess or are Under the Influence of Illegal Drugs or Alcohol on School Property, at School-Sanctioned Activities, when being Transported in Vehicles Dispatched by the District or at Any Time or in Any Place where the Student's Conduct Interferes With or Disrupts the Educational Program or Operations of the District:

1. **First Offense**
 - a. The student shall be suspended, except that the principal may recommend expulsion if warranted by the circumstances of the case.
 - b. The principal or principal's designee will attempt to develop with the parents and the student a procedure that will outline the responsibilities of the parent, the student, and the school in an effort to keep any further offenses from occurring.
 - c. Information on available drug or alcohol counseling and rehabilitation programs and recommendations for chemical dependency assessment, diagnosis, and possible treatment will be given to students and parents.
 - d. When appropriate, students and parents will be encouraged to agree

to follow up with assessment, diagnosis or treatment as a condition to readmission. Evaluation of any such participation will be made at the parent conference at the time the suspension is reviewed and the student is considered for readmission to school.

- e. The District's authority to expel a student for a second offense as provided below shall not be compromised in any manner by a failure to take action as described in paragraphs 1.b through 1.d above.
2. **Second Offense**
 - a. A recommendation for expulsion may result for a second offense at that level (elementary/secondary).
 - b. The student may be expelled upon the second offense and all subsequent offenses at that level (elementary/secondary).

Consequences for Students Directly Involved in the Distribution, Gift/Exchange or Sale of Illegal Drugs or Alcohol on School Property, at School-Sanctioned Activities, when being Transported in Vehicles Dispatched by the District or at Any Time or in Any Place where the Student's Conduct Interferes with or Disrupts the Educational Program or Operations of the District:

1. A recommendation for expulsion shall result in each and every case.

SMOKING AND OTHER USES OF TOBACCO BY STUDENTS (Board Policy JICG)

The Douglas County School District is committed to high standards of personal and public health and safety. Therefore, in recognition of the School District's responsibility to prepare students to make sound decisions about personal health and safety issues, and in recognition of Colorado law, it is the policy of the Board of Education to prohibit the possession or use of tobacco by students, or the use of tobacco by teachers, staff, and visitors in or on any school property or while participating at any student activity sponsored by the District. Signs regarding this prohibition and the consequences of a violation shall be prominently displayed on all school property.

School property includes, but is not limited to, any building used for instruction, administration, support services, maintenance, or storage, the grounds surrounding those buildings if the school is authorized to exercise dominion and control over those grounds, and all vehicles used by the school for transporting students, workers, visitors, or other persons.

Tobacco and/or tobacco products means all kinds and forms of tobacco such as cigarettes, cigars, smokeless tobacco, dissolvables, electronic cigarettes, paraphernalia and other emerging products suitable for chewing or smoking and any other product that is packaged for smoking.

Use means the lighting, chewing, smoking, consuming or ingesting of any tobacco product.

The Board of Education may seek and accept gifts, donations, or grants of any kind from any private or charitable sources or any government agency to meet the expenses

required by this policy. Such funds shall be accounted for separately, and, to the extent that such funds are available, shall maintain and operate an educational program at each school to assist students, faculty, and staff to avoid or discontinue the use of tobacco.

This prohibition against tobacco use shall not apply to the use of a tobacco product in a limited classroom demonstration to show the health hazards of smoking.

NONDISCRIMINATION/NON-HARASSMENT OF STUDENTS (Board Policy JBA)

The Board of Education is committed to the policy that no otherwise qualified student shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any District program or activity on the basis of disability, race, creed, color, sex, sexual orientation, national origin, religion, or ancestry. For purposes of this policy: "Sexual orientation" means a person's actual or perceived orientation toward heterosexuality, homosexuality, bisexuality, or transgender status.

The Board of Education is committed to maintaining a learning environment for students that is free from harassment based on an individual's disability, race, creed, color, sex, sexual orientation, national origin, religion, or ancestry. All such harassment, by District employees, students and third parties, is strictly prohibited.

"Harassment or discrimination" directed at students means to engage in any unwelcome physical or verbal conduct or any written, pictorial, or visual communication by a student or employee that is directed at a student or group of students because of that student's or group's membership in, or perceived membership in, a protected class based on disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, family composition, religion, age, national origin, or ancestry, which conduct or communication is objectively offensive to a reasonable individual who is a member of the same protected class. The conduct or communication need not be severe or pervasive to constitute harassment or discrimination and constitutes harassment or discrimination if:

- a) Submission to the conduct or communication is explicitly or implicitly made a term or condition of the individual's access to an educational service, opportunity, or benefit;
- b) Submission to, objection to, or rejection of the conduct or communication is used or explicitly or implicitly threatened to be used as a basis for educational decisions affecting the individual; or
- c) The conduct or communication has the purpose or effect of unreasonably interfering with the individual's access to their educational service, opportunity, or benefit or creating an intimidating, hostile, or offensive educational environment.

Petty slights, minor annoyances, and lack of good manners do not constitute harassment or discrimination in violation of this policy unless the slights, annoyances or lack of manners, when taken in combination and under the totality of the circumstances, meet the standards set forth above.

Harassment based on race or color can include unwelcome, hostile and offensive verbal and written conduct based on or directed at the characteristics of a person's race or color, such as nicknames emphasizing stereotypes, racial slurs, and negative references

to racial customs. Harassment based on religion can include unwelcome, hostile and offensive verbal or written conduct based on or directed at the characteristics of a person's religion or creed, such as comments regarding surnames, religious tradition or religious clothing, as well as religious slurs and/or graffiti.

Harassment based on national origin, ancestry, or creed can include unwelcome, hostile and offensive verbal or written conduct based on or directed at the characteristics of a person's national origin, such as comments regarding surnames, manner of speaking, customs, language or ethnic slurs.

Harassment based on disability can include unwelcome, hostile and offensive verbal or written physical conduct based on or directed at the characteristics of a person's disabling condition, such as imitating manner of speech or movement; hostile or offensive acts; and/or interference with movement or access to necessary equipment.

Due to its possible criminal nature, any physical or sexually natured contact that is based on race, color, national origin, ancestry, creed or disability shall not be considered as merely harassment under this Board Policy, but will instead be referred to law enforcement.

Sexual harassment of students by District employees includes verbal sexual advances, and verbal conduct of a sexual nature.

District employees that engage in any physical conduct of a sexual nature, request sexual favors or disseminate pornographic material to or attempt to coerce a student in such acts commits a criminal act, not merely harassment. Behaviors listed in this paragraph shall be reported by any student, staff, or school administrator to law enforcement in accordance with Board Policy and under the mandatory reporting law in the Colorado Revised Statutes.

Sexual harassment of students by other students includes unwelcome sexual verbal advances, requests for sexual favors, and other verbal conduct of a sexual nature. Sexual harassment may occur whether the harassment is between people of the same or different gender. Sexual harassment can include unwelcome oral or written conduct, directed at or related to a person's gender, such as sexual gossip or personal comments of a sexual nature, sexually suggestive or foul language, sexual jokes, whistling, spreading rumors or lies of a sexual nature about someone. Due to the complexity of child safety and sexual based criminal laws, students who engage in behaviors involving other students to include demanding sexual favors, forcing sexual activity by threat of punishment or offer of educational reward, obscene graffiti, display or sending of pornographic pictures or objects, offensive touching, pinching, grabbing, kissing or hugging, or restraining someone's movement in a sexual way can fall under violation of criminal law, and all physically based acts shall be reported to law enforcement under the Colorado's mandatory reporting law in the Colorado Revised Statutes.

Sexual harassment by third parties, including acts committed by parents or other adults who are not students or District employees, that is physical or coercive in its nature shall be reported to law enforcement under the mandatory reporting law in the Colorado Revised Statutes. All verbal acts of a sexual nature committed by third parties shall be reported to the principal or the principal's designee.

Harassment based on sexual orientation can include but is not limited to damage or vandalism to a person's property directed at or related to a person's sexual orientation,

unwelcome, hostile and offensive verbal and/or written language, or physical conduct directed at or related to a person's sexual orientation, such as gossip or personal comments, suggestive and foul language, jokes, spreading rumors or lies regarding the person's sexual orientation, obscene graffiti, threats, or bullying.

All District employees and students share the responsibility to ensure that harassment based on disability, race, creed, color, sex, sexual orientation, national origin, religion, or ancestry does not occur at any District school, on any District property, at any District or school-sanctioned activities or events, when students are being transported in any vehicle dispatched by the District or one of its schools, or off school property when such conduct has a nexus to school or any District curricular or non-curricular activity or event. Toward that end:

All students who believe they have been victims of such harassment are encouraged to immediately report it to an administrator or teacher at their school. If the harassment is being committed by the principal or another administrator in the building, the report shall be made to the appropriate Director of Schools assigned to the building. All students who witness such harassment are encouraged to immediately report it to an administrator or teacher at their school. If the harassment is being committed by the principal or another administrator in the building, the report shall be made to the appropriate Director of Schools assigned to the building.

In addition to the foregoing, students may utilize the complaint policies at [Policy AC-E-1](#) (Nondiscrimination/Equal Opportunity Report Form), AC-R-2 (Sexual Harassment Grievance Process), or [Policy KE](#) (Public Complaints), to file reports of harassment.

Any student who engages in harassment of another student based on the other student's disability, race, creed, color, sex, sexual orientation, national origin, religion, or ancestry shall be required to attend a meeting with his or her parent(s) or guardian and the principal or principal's designee; be subject to remedial action such as education or counseling; and be subject to disciplinary action up to and including suspension or expulsion. Guidelines for dealing with students who engage in the harassment of other students are outlined below:

PREVENTION OF BULLYING (Board Policy JICDE)

Bullying is prohibited on all District property, at District or school-sanctioned activities or events, when students are being transported in vehicles dispatched by the District or one of its schools, and off school property when such conduct has a nexus to school or any District curricular or non-curricular activity or event.

"Bullying" means any written or oral expression, or physical or electronic act or gesture, including cyber-bullying, that meets all of the following characteristics:

- a. Is intentional, repeated or likely to be repeated, and marked by an imbalance of power, including physical, social, or socio-economic power; and
- b. Is intended to coerce, intimidate, or cause any physical, mental, or emotional harm to any student; and
- c. Is sufficiently severe that it has the effect of:
 1. Creating an intimidating, hostile, or significantly offensive environment for the learning or performance of school-sanctioned activities of any student; or
 2. Unreasonably interfering with or disrupting the educational performance or

participation in any other school-sanctioned activity of any student.

Bullying is prohibited against any student for any reason, including but not limited to behavior that is directed toward a student on the basis of their academic performance or any basis protected by federal and state law, including disability, race, creed, color, sex, sexual orientation, gender identity, gender expression, marital status, national origin, religion, ancestry, or the need for special education services, whether such characteristics are actual or perceived.

All administrators, teachers, classified staff, and students share the responsibility to ensure that bullying does not occur at any District school, on any District property, at any District or school-sanctioned activities or events, when students are being transported in any vehicle dispatched by the District or one of its schools, or off school property when such conduct has a nexus to school or any District curricular or non-curricular activity or event. Toward that end:

- All students who believe they have been victims of bullying in any such circumstance shall immediately report it to an administrator or teacher at their school.
- All students who witness student bullying in any such circumstance shall immediately report it to an administrator or teacher at their school.

Discipline for student bullying may include suspension, expulsion, and/or classroom removal.

For any student against whom an allegation under this policy is lodged, that student shall have all of the due process rights contained in JI/JIA, JKD/JKE, and JKD/JKE-R.

STUDENT DRESS (Board Policy JICA)

The Board recognizes that responsibility for the dress and appearance of students generally rests with individual students and their parents. Students are encouraged to dress appropriately for all school activities. The following general standards will be in effect:

1. Reasonable cleanliness of wearing apparel is expected as a matter of general health and welfare.
2. To avoid injury and disease, shoes, sandals, or boots must be worn in the buildings.
3. Beach or swim wear and items of clothing intended to be worn while participating in athletics are inappropriate except in the gym and on athletic fields.
4. Dress that causes or is likely to cause disruption of the educational process is prohibited.
5. Wearing apparel that interferes with or endangers the student while he/she is participating in classroom or other school-sponsored activities is prohibited. The decision as to the safety or unsuitability of the clothing is a matter for the instructor's or school administrator's judgment.
6. Pupils must not wear hats or dark glasses in the building without permission from an administrator.
7. Any manner of grooming or apparel, including clothing, jewelry, hats, emblems, and badges, which by virtue of color, arrangement, trademark, or other attribute is associated with or denotes membership in or affiliation with any gang, will not be allowed. The prohibition on gang-related apparel shall be applied at the discretion of building-level administrators after consultation with the superintendent or designee as the need arises at individual schools.

Disciplinary action for violation of any standard will include notification of the violation, the requirement that the clothing be changed before re-entering class, and, at the discretion of the building-level administrator, a parental conference. More severe disciplinary consequences, including suspension or expulsion, may result from repeated or serious violations.

GANG-RELATED BEHAVIORS AND DRESS (Board Policy JICF)

Gang activities at school impose a threat to the welfare and safety of students and others in the school community and cause substantial disruption to the educational process.

The term “gang” as used in this policy refers to all groups of three or more individuals with a common interest, bond, or activity characterized by criminal or delinquent conduct, engaged in either collectively or individually.

1. Any manner of grooming or apparel, including clothing, jewelry, hats, emblems, and badges which by virtue of color, arrangement, trademark, or other attribute is associated with or denotes membership in or affiliation with any gang or group which advocate drug use, violence or disruptive behavior will not be allowed in school buildings or on school grounds, at school-sanctioned activities and events, or while being transported in school approved vehicles. The prohibition on gang-related apparel shall be applied at the discretion of building level administrators, after consultation with the superintendent or designee, as the need arises at individual schools.
2. Gestures, signals, or graffiti which connote gang membership or activities are prohibited in school buildings and on school grounds, at school-sanctioned activities and events, and while being transported in school approved vehicles. This prohibition of gang-related gestures, signals, and graffiti shall be applied at the discretion of building level administrators, after consultation with the superintendent or designee, as the need arises at individual schools.
3. Incidents involving initiations, hazing, intimidations, and/or related activities of such group affiliations which are likely to cause bodily danger, physical harm, personal degradation, or disgrace resulting in physical or mental harm to students or staff will result in suspension and/or expulsion.
4. Gangs or individuals who initiate, promote, or participate in activities which threaten the safety or well-being of persons or property on school grounds or at school-related activities, or which disrupt the school environment will be suspended and/or expelled.
5. Gang graffiti on school premises shall be removed, washed down, or painted over as soon as discovered and photographed. The photographs shall be shared with local law enforcement authorities and used in future disciplinary or criminal actions against the offenders.
6. Any student wearing or carrying overt gang paraphernalia or making gestures that symbolize gang membership shall be referred to the principal or designee for disciplinary action.
7. Disciplinary action for violation of these standards will include notification of the violation; where applicable, the requirement that the apparel be changed before reentering class; and, at the discretion of the building level administrator, a parental conference. More severe disciplinary consequences, including suspension or expulsion, shall result from repeated or serious violations.

STUDENT CONDUCT ON SCHOOL BUSES (Policy JICC, JICC-R-1 and JICC-R-2)

Procedural Guidelines

A. Regular Daily Bus Service

The following general procedural guidelines should be followed for scheduled bus service that is not associated with after-school activities.

1. Initially bus drivers should try to resolve the discipline problem or violation of rules directly with the student(s) involved. Bus drivers also will attempt to confer with parent(s) and request their cooperation in resolving the problem. These actions should be documented by the driver.
2. For problems not resolved by step 1, or in cases of more serious discipline or safety problems, including the causing of a disruption requiring the attention of the bus driver or other school personnel to deal with the disturbance, or in the event of a suspension of activity bus riding privileges, a disciplinary referral shall be made to the school principal or designee (“administrator”). In such cases, unless more severe sanctions appear warranted, the administrator will give the student a formal warning, notify the parent(s), and provide the parent(s) with a copy of the disciplinary referral.
3. If a problem occurs which results in a second disciplinary referral or, in the case of an initial disciplinary referral involving a serious discipline or safety problem, the following procedures shall apply:
 - a. The administrator will advise the student orally or in writing of the charges.
 - b. If the student denies the charges, the administrator will explain the evidence against the student and give the student the opportunity to present his/her side of the incident.
 - c. If, on the basis of this discussion, the administrator believes the student to be guilty of the misconduct charged, the administrator will suspend the student’s bus riding privileges for five school days.
 - d. The administrator shall immediately notify the parent(s) of the suspension of bus riding privileges, the grounds for such suspension, the duration of the suspension, and the time and place for the parent(s) to meet with the administrator to review the suspension. Such meeting shall be held prior to reinstatement of the student’s bus riding privileges. The parent(s) shall also be provided with a copy of the disciplinary referral.
4. If a student who has previously had bus riding privileges suspended during the current school year receives another disciplinary referral, the administrator will follow the procedures in 3.a. through 3.d. above, with the following modifications:
 - a. If the administrator believes the student to be guilty of the misconduct charged, the administrator will suspend the student’s bus riding privileges for 10 school days; and
 - b. The student’s bus riding privileges will not be reinstated until a meeting with the parent(s) and the administrator has taken place or until, in the discretion of the administrator, the parent(s) have agreed to review the suspension. The administrator may also reinstate such privileges where the parent(s) cannot be contacted or if the parent(s) repeatedly fail to appear for scheduled meetings. Where appropriate, a remedial discipline plan

- shall be developed.
5. If a student who has twice previously during the current school year had bus riding privileges suspended, receives another disciplinary referral, the administrator will follow the procedures in steps 3.a. through 3.d. above with the following modifications:
 - a. If the administrator believes the student to be guilty of the misconduct charged, the administrator will suspend the student's bus riding privileges for 30 school days; and
 - b. The student's bus riding privileges will not be reinstated until a meeting with the student, the parent(s), the bus driver, the administrator, and the director of transportation has taken place.
 6. In cases of severe and/or continuing problems, the school principal or the director of transportation may, after following the steps 3.a. through 3.d. above, suspend privileges for an additional 15 days during which time an informal hearing will be scheduled before the superintendent, or the superintendent's designee, with the student, the parent(s), and District officials for the purpose of considering the revocation of the student's bus riding privileges for the remainder of the current school year.
 7. The decision of the superintendent, or the superintendent's designee, may be appealed by the student to the Board of Education, by filing a written request within five school days.
 8. These guidelines shall not preclude the school principal or director of transportation from eliminating any of the steps in the process if in his or her judgment the misconduct by the student warrants more severe action.

B. After-School Activity Bus Service When Provided

The after-school activity bus provided to secondary-level students supports the educational and extracurricular program by providing service to students at times outside the normal school day. At these times, supervision by school bus personnel is limited, and the driver requires additional support from parents and students in order to promote the health, safety, and welfare of all students. Accordingly, the following guidelines will apply when school bus discipline or safety regulations are violated by a passenger on an after-school activity bus:

1. The first discipline problem or violation of rules will result in a suspension of the student's activity bus riding privileges for five days in accordance with the procedure in Section A.3. above and result in a first disciplinary referral and formal warning under Section A.2., affecting the student's regular daily bus riding privileges as well.
2. The second disciplinary referral from an activity bus driver will result in a 30-day suspension of activity bus riding privileges following the procedures in Section A.5.
3. In cases of severe and/or continuing problems, revocation of the student's activity bus riding privileges may be considered following the procedures in A.6.
4. These guidelines shall not preclude the school principal or director of transportation from eliminating any of the steps in the process if in his or her judgment the misconduct by the student warrants more severe action.

Student Safety and Rules of Conduct

Students are expected to observe the following rules of safety and conduct when using District transportation:

1. Students must meet the bus promptly, follow reasonable instructions of the driver, and respect fellow passengers.
2. Students shall cross the roadway in front of the stopped school bus in full view of the driver. To avoid creating distractions to the drivers, students must remain quiet at railroad crossings and bus loading/unloading zones.
3. Students must remain seated, face forward, and keep the aisles clear. Paper or other debris is not to be left on the bus. Students may talk quietly and shall not make loud, distracting noises. Students shall not use profanity or make obscene gestures to the driver or passengers.
4. Students must not throw anything inside or outside the bus. Students shall not abuse other students, their property, or District property, nor shall they trespass on private property.
5. Students are not allowed to smoke, use, or chew tobacco or tobacco products, nor use or bring alcohol or illegal drugs on buses.
6. Permission to board or leave the bus at other than the scheduled stop must be cleared by the transportation department, the principal, parent or guardian, and written permission must be presented to the driver. Only authorized students and school personnel may board or ride the bus.
7. No dangerous weapons or objects, animals, or insects will be allowed to be carried on the bus. Items too large to be held in the lap or below the seats will not be permitted on the bus.
8. Being rude/disrespectful to the bus driver or engaging in behavior that distracts the driver, including changing seats while the bus is in motion, will subject the student to disciplinary action in accordance with District policy.
9. Lighting matches, lighters, or firecrackers inside the bus, or inflicting or threatening to inflict bodily harm upon another person may warrant immediate suspension of bus riding privileges and/or other disciplinary action in accordance with District policy.
10. Opening or exiting the rear emergency door may warrant immediate suspension of bus riding privileges and/or other disciplinary action in accordance with District policy.

PARENTS are responsible for providing transportation for the student to attend school during loss of bus riding privileges. Suspension from the bus is not a suspension from class.

BUS PASSES

1. High School and Middle School students must present an ID to the Bus Driver upon boarding the school bus.
2. A grace period will apply at the beginning of each school year to allow Transportation time to manufacture the IDs. A similar grace period will be granted for students entering the school during the school year. Bus drivers will hand out the bus passes on the bus routes as the passes become available.

3. Bus Drivers shall verify bus passes each day, both AM and PM, no exceptions.
4. Students shall always be allowed to ride from designated bus stops in the morning to school, however, will be required to sit in the front seats of the bus, as assigned by the driver, for that ride. Consistent failure to obtain a bus pass could result in bus privileges being suspended.
5. Students who lose their bus passes will be allowed not more than one week to replace it before the Bus Driver pursues further disciplinary action. Item #4 still applies during this period.
6. Continuing failure of the student to obtain and consistently show their bus pass will warrant a Student Discipline Referral being issued by the Driver.
7. Refusal or habitual failure to comply with this policy can result in a student's bus riding privileges being suspended through the Referral Process.

STUDENT USE OF DISTRICT INFORMATION TECHNOLOGY

To support its educational mission, the Douglas County School District may provide information technology ("IT"), such as computers, networks, Internet access, and electronic-mail accounts, to its students.

While parents and students themselves are ultimately responsible for their behavior at school and their use of District IT, the District will make every reasonable effort to ensure that students use District IT appropriately and responsibly. To this end, the District has implemented content filtering measures that direct student learning and restrict student access to inappropriate material, in accordance with applicable law.

In addition to rules specifically concerning District IT, general policies, regulations, and rules governing student conduct apply to the use of District IT. Violating such policies, regulations, or rules may result in the loss of the privilege to use some or all of the District's IT, discipline (may include but not limited to suspension and/or expulsion), the requirement that the District be reimbursed for unauthorized charges or costs, the institution of legal proceedings, and referral to law-enforcement authorities.

Because all District IT is owned, leased, or licensed by the District, the District is responsible for all content stored—permanently or temporarily—on any District IT device, or traveling across any of the District's IT networks. The District therefore has the right and the obligation to monitor all District IT activity, and may be required to disclose records of student IT use (including materials and records of use that have been "deleted") under public-records law or other laws. Students therefore have no expectation of privacy—as to the District or the public—in any materials they access, receive, or create using District IT.

District IT may fail or become unstable from time to time, leading to loss of data or service interruptions, and the District therefore makes no warranties of any kind related to its IT.

No less than when in class, in the lunchroom, or at school-sponsored events, students are responsible for good behavior when using District IT to travel through cyberspace. Thus all rules and expectations regarding student conduct, as well as all provisions of the student conduct code, apply to student conduct involving District IT. In addition to general behavioral expectations, additional expectations apply when students use District IT. Examples of prohibited use of District IT include the following:

1. Searching, viewing, editing, or retrieving materials that are not related to

school work, community service, employment, or further education (therefore, searching or viewing sexually explicit, profane, violence promoting, or illegal materials is not permitted);

2. Downloading or loading software without permission, or using software in a way not permitted by its license;
3. Accessing, viewing, or altering any official record or file of the school or District;
4. Damaging District IT;
5. Violating copyright laws;
6. Using the passwords of other users;
7. Trespassing in the folders, work, or files of other users;
8. Any malicious use or disruption of the District's IT or breach of security features;
9. Intentionally wasting computer system resources;
10. Using the network for commercial purposes;
11. Sharing of the student's home address, phone number, or other information;
12. Using District IT after losing the privilege to do so;
13. Any activity that violates a law or a school or District rule.
 - Students are required to turn portable electronic devices over to school personnel when requested. Students who refuse to do so may be subject to school discipline in accordance with District policy.
 - Portable electronic devices are allowed on District transportation vehicles within the limits of this policy.

STUDENT POSSESSION AND USE OF PORTABLE ELECTRONIC DEVICES (INCLUDING CELLULAR PHONES) (BOARD POLICY JIHA)

The Douglas County School District recognizes that electronic devices are tools of both communication and learning that, depending upon their use, can either add value to communication and learning or can cause disruption in the school environment. As such, electronic devices demand well-reasoned, practical and wise regulation in the school setting. Students may possess and use portable electronic devices including, but not limited to, laptop computers, cellular telephones, smartphones, MP3 and similar music players, radios, scanners, portable digital assistants (PDAs), wireless e-mail devices, etc., subject to limitations of this and other policies of the District under the following conditions:

- Portable electronic devices are considered personal effects in a student's possession and thereby subject to the rules and regulations governing searches of such items under Board File JIH - Searches.
- It is understood that there is educational value in utilizing portable electronic devices in classrooms when such devices aid in extending, enhancing, and/or reinforcing the students' learning process related to the educational outcomes they are pursuing. Approval for students' use of such devices will be at the discretion of the classroom teacher or a building administrator unless the use of such a device is provided for in a student's Individualized Education Program ("IEP").
- The principal may establish and school personnel may enforce additional guidelines limiting or prohibiting the possession and use of portable electronic devices as appropriate to campus needs.
- Students are required to turn portable electronic devices over to school personnel when requested. Students who refuse to do so may be subject to school discipline in accordance with District policy.
- Portable electronic devices are allowed on District transportation vehicles within the limits of this policy.
- Portable electronic devices are allowed to be taken and used on school trips, provided that they are used in accordance with this policy and within the rules or guidelines established by school administration.
- Use of cameras or the camera features on a cell phone or other portable electronic devices in a restroom or a locker room or for any use constituting an invasion of any person's reasonable expectation of privacy is strictly prohibited. Any device used for such purposes shall be confiscated by school personnel, and law enforcement authorities may be notified.
- The District assumes no responsibility for loss or damage to personal property of students, including cell phones and other portable electronic devices in the possession of students. If confiscated by school personnel pursuant to this policy, reasonable care will be taken of the item until either its retrieval or its reasonably being deemed discarded.
- Students violating this policy may be subject to disciplinary action.

Section B: Student Discipline Policies

STUDENT DISCIPLINE (BOARD POLICY JK)

In order to ensure maximum educational benefits for all students, each student is expected to conform to all District and school policies and regulations, show respect for and obey those in authority, and otherwise conduct himself or herself at all times in a manner fitting his or her ability, age, and grade. While the provisions for disciplining students are to allow other students to learn in an atmosphere which is safe, conducive to the learning process, and free from unnecessary disruptions, schools should minimize the use of out-of-school suspension, recommendations for expulsion, and referrals to law enforcement, to the extent practicable while remaining consistent with the requirements of state and local law.

DISCIPLINE PROCEDURES FOR DISCIPLINARY REMOVALS OF STUDENTS WITH DISABILITIES

Students with disabilities who engage in disruptive activities and/or actions dangerous to themselves or others will be disciplined in accordance with their IEPs, any behavioral intervention plan, Board policy, and applicable law including the Individuals with Disabilities Education Act of 2004, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans With Disabilities Act. Nothing shall prohibit an IEP team from establishing consequences for disruptive or unacceptable behavior as a part of the student's IEP and/or behavioral intervention plan ("BIP").

Suspensions, expulsions, manifestation determinations, and provision of services

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

Upon the 11th cumulative school day of suspension during an academic school year, educational services shall be provided to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. School personnel, in consultation with at least one of the student's teachers, shall determine the educational services to be provided to the student during this period of suspension or removal. If the disciplinary removal is a change of placement, then the student's IEP team shall determine appropriate educational services during the period of removal.

- b. **Notification:** Notification of a suspension shall be implemented in the same manner as applied to students without disabilities. Prior to expulsion or other disciplinary change in placement, the student's parents shall be notified of the decision to take such disciplinary action and of their procedural safeguards. This notification shall occur not later than the date on which such decision is made.

- c. **Manifestation determination:** Within 10 school days from the date of the decision to take disciplinary action that will result in an expulsion or other removal of a student from school for more than 10 cumulative days in a school year, relevant members of the student's IEP team, including the student's parents, shall review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents, to determine whether the student's behavior was a manifestation of the student's disability.

The team shall determine: (1) whether the student's conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; and (2) whether the student's conduct in question was the direct result of the school's failure to implement the student's IEP. If the answer to either of these two questions is "yes," the student's behavior shall be deemed to be a manifestation of the student's disability.

- d. **Disciplinary action that is not a manifestation:** If the team determines that the student's behavior was not a manifestation of the student's disability, disciplinary procedures shall be applied to the student in the same manner as applied to students without disabilities. The student shall receive educational services during the period of expulsion or other disciplinary action which removes the student from school. When a student is expelled, educational services shall be provided as determined by the student's IEP team to enable the student to participate in the general education curriculum, although in another setting, and to progress toward meeting his or her IEP goals.

Within a reasonable amount of time after determining that the student's behavior is not a manifestation of the student's disability, the IEP team, as appropriate, may complete a functional behavioral assessment ("FBA"). In addition, a BIP may be developed for the student, as appropriate. If a BIP has already been developed, the BIP may be reviewed and modified, as appropriate.

- e. **Disciplinary action for behavior that is a manifestation:** If the team determines that the student's behavior is a manifestation of the student's disability, expulsion proceedings or other disciplinary removal will be discontinued. However, the student may be placed in an alternative setting for up to 45 school days as discussed below or the student's placement may be changed for educational reasons as determined by the IEP team or as otherwise permitted by law.
- f. **Implementation of a functional behavioral assessment and behavioral intervention plan:** Within a reasonable amount of time after determining that the student's behavior is a manifestation of the student's disability, the student's IEP team shall: (1) conduct an FBA of the student, unless an FBA has already been conducted; and (2) implement a BIP for the student. If a BIP has already been developed, the IEP team shall review it and modify it as necessary to address the student's behavior.

Placement in an alternative setting for 45 school days

School personnel may remove a student with disabilities to an interim alternative setting for not more than 45 school days without regard to the manifestation determination if:

1. The student carried a weapon to school or a school function;
2. The student possessed a weapon at school or a school function;
3. The student possessed or used illegal drugs at school or a school function;
4. The student sold or solicited the sale of a controlled substance at school or a school function;
5. The student inflicted serious bodily injury on another person while at school or a school function; or
6. A hearing officer or court of appropriate jurisdiction so orders.

Such removal to an alternative setting is permissible even if the student's behavior is determined to be a manifestation of the student's disability. The student's IEP team shall determine the educational services to be provided to the student in the alternative setting.

Students not identified with a disability

Students who have not been identified as disabled shall be subjected to the same disciplinary measures applied to students with disabilities if the District had "knowledge" of the student's disability before the behavior that precipitated the disciplinary action occurred.

The District is deemed to have knowledge of the student's disability if:

1. The student's parent has expressed concern in writing to District supervisory or administrative personnel, or the student's teacher, that the student is in need of special education and related services;
2. The student's parent has requested an evaluation; or
3. The student's teacher or other District personnel have expressed specific concerns about the student's pattern of behavior directly to the director of special education or other District supervisory personnel.

If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation will be expedited. Until the evaluation is completed, the student shall remain in the District's determined educational placement, which can include suspension or expulsion.

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

SUSPENSION/EXPULSION OF STUDENTS (AND OTHER DISCIPLINARY INTERVENTIONS)(POLICY JKD/JKE)

The Board of Education shall provide due process of law to students through written procedures consistent with law for the suspension or expulsion of students and the denial of admission. In matters involving student misconduct that may or will result in the

student's suspension and/or expulsion, the student's parent/guardian shall be notified and involved to the greatest possible extent in the disciplinary procedures.

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

Grounds for Suspension/Expulsion

The following conduct, occurring at school or on school grounds, at school-sanctioned activities or events, while being transported by school approved vehicles, or occurring off school property when the conduct has the required connection to school in accordance with governing law, may subject a student to suspension or expulsion:

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 caused a material and substantial disruption three times or more during the course of the school year on school grounds, in a school vehicle or at a school activity or sanctioned event. Any student who is enrolled in a public school may be subject to being declared a habitually disruptive student.
 - b. The student and the parent, legal guardian, or legal custodian shall have been notified in writing of each disruption 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."
5. The use, possession or sale of a drug or controlled substance.
6. 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.
7. Possessing a dangerous weapon without the authorization of the school or District. In accordance with federal law, expulsion shall be mandatory and for no less than one full calendar year for a student who brings or possesses a firearm at school. The superintendent or designee may modify the length of this federal requirement on a case-by-case basis. Such modification shall be in writing. For purposes of this paragraph, "dangerous weapon" means:

- a. A firearm.
 - b. Any pellet gun, BB gun, or other device, whether operational or not, designed to propel projectiles by spring action or compressed air.
 - c. A fixed blade knife with a blade that exceeds three inches in length or a spring loaded knife or a pocket knife with a blade exceeding three and one-half inches in length.
 - d. Any object, device, instrument, material, or substance, whether animate or inanimate, that is used or intended to be used to inflict death or serious bodily injury.
8. Repeated interference with a school's ability to provide educational opportunities to other students.
 9. 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 without the authorization of the school or the District.
 10. Making a false accusation of criminal activity against a District employee to law enforcement or to the District.

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

1. the student's age;
2. the student's disciplinary history;
3. the student's identification as a student with a disability under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973, including whether the School District had knowledge that the student may be eligible as a student with a disability (see Board File JK-2 regarding the procedural requirements for disciplinary removals of students with disabilities which specifically addresses "Students not identified as disabled");
4. the seriousness of the violation committed by the student;
5. the threat posed to any student or staff; and
6. the likelihood that a lesser intervention would properly address the violation.

Students in Third Grade or Higher

The Board of Education delegates to the principals of the school district or to a person designated in writing by the principal the power to suspend a student in that school in third grade or higher grade for not more than five school days on the grounds stated in C.R.S. 22-33-106 (1)(a), (1)(b), (1)(c) or (1)(e) or not more than 10 school days on the grounds stated in C.R.S. 22-33-106 (1)(d) unless expulsion is mandatory under law, but the total period of suspension shall not exceed 25 school days.

Students in Preschool Through Second Grade

The Board of Education delegates to the principals of the school district or to a person designated in writing by the principal the power to suspend a student in preschool, kindergarten, first grade, or second grade in that school for not more than three school days on the following grounds:

- a) The student has engaged in conduct on school grounds, in a school vehicle, or at a school activity or sanctioned event that:
 - a. involves the possession of a dangerous weapon without the authorization of the school;
 - b. involves the use, possession, or sale of a drug or controlled substance, as defined by C.R.S. 18-18-102(5); or
 - c. endangers the health or safety of others.
- b) The school determines that failure to remove the student from the school building would create a safety threat that cannot otherwise be addressed. The suspension period for students in preschool through second grade may be extended only if school principal or designee determines that a longer period of suspension is necessary to resolve the safety threat, or if expulsion is mandatory under law.

Other Disciplinary Interventions

In lieu of an out-of-school suspension or expulsion and in accordance with applicable law, the principal or designee may consider the use of available interventions to address the student's misconduct. The use of such interventions will vary, depending upon the facts and circumstances of an individual case. Such interventions shall be at the principal's or designee's sole discretion and include but are not limited to: detention; in-school suspension; counseling; restorative justice practices; or other approaches to address the student's misconduct that do not involve an out-of-school suspension or expulsion and minimize the student's exposure to the criminal and juvenile justice system.

Delegation of Authority

1. The school principal or principal's designee has the power to suspend a student in that school for not more than five school days on the grounds stated in C.R.S. 22-33-106 (1)(a), (1)(b), (1)(c) or (1)(e) or for not more than 10 school days on the grounds stated in C.R.S. 22-33-106 (1)(d) unless expulsion is mandatory under law. The total period of suspension shall not exceed 25 school days.
2. The superintendent has the authority to suspend a student for an additional 10 school days plus up to and including an additional 10 days necessary in order to present the matter to the Board.
3. The superintendent or designee shall serve as a hearing officer with the authority to deny admission to or expel for any period not extending beyond one year any student whom the superintendent determines does not qualify for admission to or continued attendance at the public schools of the District. If the hearing is conducted by a designee serving as a hearing officer, the hearing officer shall prepare findings of fact and recommendations for the superintendent at the conclusion of the hearing. The superintendent shall render a written opinion in the expulsion matter within five days after the

hearing whether the hearing is conducted by the hearing officer or the superintendent.

Expulsion for Unlawful Sexual Behavior or Crime of Violence

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

The District shall consider the information to determine whether the student has exhibited behavior that is detrimental to the safety, welfare, and morals of the other students or school personnel and whether educating the student in the school may disrupt the learning environment in the school, provide a negative example for other students, or create a dangerous and unsafe environment for students, teachers, and other school personnel. Appropriate disciplinary action may include suspension or expulsion.

(Hearing Procedures)

Procedure for suspension for 10 days or less

The school principal has the power to suspend a student for not more than five or 10 days, depending upon the type of infraction. The superintendent has been delegated the power to suspend a student for additional periods of time; however, the total period of suspension will not exceed 25 school days. As a general rule, a suspension will be 10 days or less.

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

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

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

3. **Informal Hearing.** In an informal setting, the student will be given an opportunity to admit or deny the accusation and to give his or her version of the events. The administrator may allow the student to call witnesses or may personally call the accuser or other witnesses. The administrator may hold a more extensive hearing in order to gather relevant information prior to making a decision on the contemplated action.

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

Procedure for Expulsion or Denial of Admission

In the event the principal or superintendent contemplates denying admission to any student or prospective student or expelling any student, the following procedures shall be followed:

1. **Notice.** Not less than 10 days prior to the date of the contemplated action, written notice of such proposed action shall be delivered to the student and the student's parent/guardian.
2. **Emergency Notice.** If an emergency exists necessitating a shorter period of notice, the period of notice may be shortened provided that the student or the student's parent/guardian have actual notice of the hearing prior to the time it is held.
3. **Contents of Notice.** The notice will contain the following basic information:
 - a. A statement of the basic reasons alleged for the contemplated denial of

- admission or expulsion.
- b. A statement that a hearing on the question of expulsion or denial of admission will be held within the period of suspension applicable to the student if requested by the student or parent/guardian.
 - c. A statement of the date, time and place of the hearing in the event one is requested.
 - d. A statement that the student may be present at the hearing and hear all information against him or her, that the student will have an opportunity to present such information as is relevant and that the student may be accompanied and represented by a parent/guardian and an attorney.
 - e. A statement that failure to participate in such hearing constitutes a waiver of further rights in the matter.
4. **Conduct of Hearing.** A hearing may be requested by the parent/guardian. Such hearing will be conducted by a hearing officer. The hearing may be conducted in open session or may be closed except to those individuals deemed advisable by the hearing officer but including in all events the student, the parent/guardian and, if requested, the student's attorney. Such individuals as may have pertinent information will be admitted to a closed hearing to the extent necessary to provide such information.

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

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

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

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

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

The Board will make final determination regarding the expulsion of or denial

of admission to the student and will inform the student and his parent/guardian of the right to judicial review.

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

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

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

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

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

Procedure for Crimes of Violence or Unlawful Sexual Behavior

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

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

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

DISCIPLINE OF HABITUALLY DISRUPTIVE STUDENTS (Policy JKC)

Any student who is suspended two times for a material and substantial disruption during any one school year while at school or on school grounds, at a school-sanctioned activity or event, or while being transported in a school-approved vehicle shall be subject to an individual remedial discipline plan.

Any student who is suspended for willful disobedience, willful destruction or defacing school property, behavior which is detrimental, serious violation, weapons, drugs and alcohol or robbery, or first or second degree assault three times during the course of a school year or calendar year shall be declared an habitually disruptive student and shall be subject to suspension and/or expulsion.

Disruptive behavior means behavior which is initiated, willful, and overt on the part of the student.

Students with Disabilities

Discipline of students with disabilities who are habitually disruptive shall be subject to the special considerations and procedures specified in Regulation JKD/JKE-R.

DISCIPLINE OF HABITUALLY DISRUPTIVE STUDENTS (Policy JKC-R)

Reporting Requirements

1. All incidents of disruptive behavior by a student occurring while at school or on school grounds, at a school-sanctioned activity or event, or while being transported in a school-approved vehicle, shall be reported in writing to the school principal or designee.
2. The principal or designee shall confer with the staff member reporting an incident of disruptive behavior, and, if determined necessary, may contact the student's parents, guardian, or legal custodian to discuss the incident. If the student is suspended for a material and substantial disruption, the student and the parent, guardian, or legal custodian shall be notified in writing of each suspension counted toward declaring the student habitually disruptive pursuant to this policy.
3. The principal or designee shall prepare a brief written summary of the incident. The student and his or her parents, guardian, or legal custodian shall be given a copy of the summary and shall be informed that the continuation of such behavior may result in disciplinary action, including suspension or expulsion pursuant to the terms of this regulation. The student may submit a written response to the incident report within the next five school days which shall be attached to the written summary. The summary and any written response shall be placed in the student's cumulative file.

Remedial Discipline Plans

1. A remedial discipline plan shall be developed for the student after his or her second suspension in any one school year for a material and substantial disruption, as defined above. The remedial discipline plan shall be developed by the principal or designee, with the assistance of the student's teacher(s) and any other school personnel involved, as well as the student and his or her parents, guardian, or legal custodian.
2. If deemed necessary or desirable by the principal or designee, a remedial discipline plan may be developed for the student after his or her first suspension in any one school year for a material and substantial disruption, as defined above.
3. The purpose of meeting with a student's teacher(s) and other school personnel, and with the student and his or her parents, guardian, or legal custodian in developing a remedial discipline plan, shall be to address the student's disruptive behavior, his or her educational needs, and the goal of keeping the child in school. The meeting is also intended to establish goals, objectives, and time lines for modifying the behavior which shall be incorporated into the remedial discipline plan. The plan also shall inform the student of the consequences, including suspension and/or expulsion, should he or she continue to engage in disruptive behavior.
4. If the student, parent, guardian, or legal custodian fails to attend the meeting to establish the remedial discipline plan after reasonable attempts have been made to schedule the meeting, the principal or designee may conduct the meeting and develop a remedial discipline plan for the student with those persons in attendance.

5. The remedial discipline plan is intended to be written in the form of a contract and signed by the student and his or her parents, guardian, or legal custodian.
6. The student and his or her parents, guardian, or legal custodian shall be provided a copy of the remedial discipline plan and a copy shall be placed in the student's cumulative file.

Discipline of Habitually Disruptive Students

1. The principal or designee shall declare a student to be an habitually disruptive student, and shall inform the student and his or her parents, guardian, or legal custodian of such, in writing, once the student has been suspended three times during a single school year or calendar year for a material and substantial disruption.
2. Upon determining a student's status as an habitually disruptive student, the school principal or designee may suspend and/or initiate proceedings for expulsion.
3. The student and parent, legal guardian, or legal custodian shall receive notice 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" and the resulting disciplinary action of suspension and/or expulsion of such students prior to disciplinary action.
4. Nothing in this policy shall preclude the principal or designee from otherwise imposing disciplinary action, including suspension or the commencement of expulsion proceedings, at any time against a student for disruptive behavior.

Students with Disabilities

Discipline of students with disabilities who are habitually disruptive shall be subject to the special considerations and procedures specified in Regulation JKD/JKE-R.

CORPORAL PUNISHMENT/USE OF PHYSICAL INTERVENTION AND RESTRAINT BY EMPLOYEES (Policy JKA)

No corporal punishment shall be administered to any student by any District employee.

The District's policy relating to restraint and seclusion is under review and revision. When an updated policy is adopted, the District will communicate all changes to District families as soon as possible.

SEARCHES (Policy JIH)

To maintain order and discipline in the schools and to protect the health, safety and welfare of students and school personnel, school authorities may search a student, a student's personal effects, student lockers, desks or storage areas, or automobiles under the circumstances outlined below and may immediately take possession of any illegal, unauthorized, or contraband materials discovered in the search.

As used in this policy, the term "unauthorized" means any item dangerous or detrimental to the health, safety, or welfare of students or school personnel; disruptive of any lawful function, mission, or process of the school; or any item described as unauthorized in then current school rules or District policies.

A student's failure to permit lawful searches and seizures as provided in this policy will be considered grounds for disciplinary action.

Personal Searches

A student's person and/or personal effects in his/her possession (e.g., purse, book bag, etc.) may be searched whenever a school authority has reasonable suspicion to believe that the student is in possession of illegal or unauthorized materials.

If a pat-down search of a student's person is conducted, it will be conducted in private by a school official of the same sex and with an adult witness present, except that under urgent circumstances, a search may be conducted by a school official alone, without a witness present.

If the administrator feels that a more intrusive search is required, searches of the person of a student which require removal of clothing other than a coat or jacket shall be referred to and conducted by a law enforcement officer, and school personnel will not participate in such searches.

Locker Searches

Student lockers are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their lockers. General inspections of locker contents may be conducted by school authorities for any reason at any time without notice, without student consent, and without a search warrant.

Automobile Searches

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to patrol the student parking lots and inspect the exteriors of automobiles on school property.

The interiors of vehicles may be inspected whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside.

Evidence Seized in a Search

Any item found in the course of a search conducted in accordance with District policy and determined to be evidence of a violation of District policy, school rules, or federal, state or local laws shall be immediately seized and tagged for identification. Such evidence will be kept in a secure place by the principal or principal's designee. If such evidence is determined to be a violation of the law, the principal or designee shall promptly contact a law enforcement officer to pick up the evidence. Otherwise, the evidence shall be maintained by the principal or principal's designee until it is no longer needed as evidence in a school disciplinary hearing, at which time it will be returned to the parent, guardian or legal custodian of the student from whom it was seized.

The District may use video cameras in its schools as a means to maintain order and discipline and to protect the health, safety and welfare of students and school personnel. Video cameras will not be used in areas such as student locker rooms or bathrooms. In the event that video cameras are used, tapes shall not be released to anyone outside the District, except as authorized or required by law.

Each school retains the authority to patrol its student parking lots, and all vehicles parked in student lots are subject to sniffs by dogs trained to alert at the scent of drugs, explosives and other contraband. In addition, the interiors and trunks of all vehicles parked by students at school may be searched upon reasonable suspicion that they contain items or substances which it is illegal for students to possess and/or items or substances which District policy or regulations prohibit from being on school property. Failure to allow the search of a vehicle's interior or trunk under these circumstances will result in the student's automatic loss of the privilege of parking at school for the remainder of the academic year.

Section C: Other Important Policies

STUDENT ATTENDANCE (Policy JH)

Attendance in class is an integral part of the educational process and students are required to be in attendance every day school is in session each academic year.

Compulsory Attendance Ages

Every child who has attained the age of six years on or before August 1 of each year and is under the age of 17 is required to attend public school with such exceptions as provided by law. It is the parents' responsibility to ensure attendance.

The courts may issue orders against the child, child's parent, or both compelling the child to attend school or the parent to take reasonable steps to assure the child's attendance. The order may require the parent, child, or both to follow an appropriate treatment plan that addresses problems affecting the child's school attendance and that ensures an opportunity for the child to obtain a quality education.

Absences

An absence consists of failure to appear at the assigned school and remain there throughout the entire school day unless dismissed earlier by proper authority. Failure to appear and remain throughout the entire time of a scheduled class period shall also constitute an absence from that class unless dismissed earlier by proper authority.

Excused Absences

Excused absences are those resulting from: temporary or extended illness, injury, or physical, mental, or emotional disability; family emergencies; absences excused by the principal through prior requests of parents or guardians; absences approved by the superintendent or designee due to inclement weather; absences pursuant to school release permits; absences which occur when a student is in custody of a court or law enforcement authority; absences due to suspension or expulsion; and any other absence approved by the principal. If a student is in out-of-home placement as defined by C.R.S. 22-32-138(1)(e), absences due to court appearances and participation in court-ordered activities shall be excused.

Unexcused Absences

Unexcused absences are those with or without prior knowledge and approval of the parents but for reasons not acceptable to the principal.

In accordance with law, the District may impose appropriate penalties that relate directly to classes missed while unexcused. Penalties may include a warning, school detention or in-school suspension. Academic penalties, out-of-school suspensions or expulsion shall not be imposed for any unexcused absence.

The administration shall develop regulations to implement appropriate penalties. The administration shall consider the correlation between course failure, truancy and a student dropping out of school in developing these regulations and shall implement research-based strategies to re-engage students with a high number of unexcused absences.

Make-up Work

Credit for work missed during excused absences will be allowed when the required work has been satisfactorily completed within the time specified, unless the absence is due to the student's expulsion from school. When a student fails to complete course requirements, or when the principal considers a student's absences so excessive as to prevent that student from meeting course requirements, credit for the course may be denied. Make-up work shall be allowed following an unexcused absence with the goal of providing the student an opportunity to keep up with the class and an incentive to attend school. Credit for make-up work will be awarded at the building level based upon a clearly articulated building plan.

Unless otherwise permitted by the building principal, make-up work shall not be provided during a student's expulsion. Rather, the District shall offer alternative education services to the expelled student in accordance with state law. The District shall determine the amount of credit the expelled student will receive for work completed during any alternative education program.

Tardiness

In accordance with 1 Colo. Code Regs. 301-78 "tardies" may be defined by the local school District. The District defines tardiness as a failure to appear on time and is considered a form of absence. Repeated tardiness shall be reported to the building attendance officer. For Department reporting purposes, a student who is present 50 percent or more of any Attendance Period during a scheduled school day shall be considered present for that entire recorded and reported period. Tardies shall not be included in the calculation of Habitually Truant students for Department reporting purposes.

Readmission

Students will be readmitted to school after an absence. A written or telephone message should be received from a parent or guardian as soon as possible explaining the student's absence. An absence not so clarified within the time limit will be treated as an unexcused absence. When a physician has been treating the student, the physician's statement that the student is well enough to return to school should be presented.

Closed Campus

Freshman students may not enter cars or leave the school grounds during school hours without advance permission from the principal, inclusive of lunch periods.

Other students, who do not have a regularly scheduled class period, may leave campus without advanced permission of the principal. This flexible schedule option for students is a privilege and subject to revocation based on grades, attendance and/or disciplinary action.

Notification of Absences

Schools shall make a reasonable effort to notify parents, guardians, or legal custodians by telephone as soon as possible when students are absent from school or from assigned classes without acceptable excuse. If students stand to lose course credit because of absence, reasonable effort shall be made to notify the parents, guardian, or legal custodian in advance so that remedial action can be taken.

At the beginning of each school year, and upon the enrollment of a new student, a telephone number or other means for contacting each student's parents, guardian, or legal custodian during the day shall be obtained by the school.

Principals or their designees should contact parents to determine the reasons for excessive absences and shall attempt to work with parents to encourage good attendance.

Enforcement of Compulsory School Attendance

Secondary school assistant principals and elementary school principals are designated as attendance officers. As such, the Board of Education authorizes these attendance officers to represent the District in truancy proceedings.

It is the duty of attendance officers to investigate the causes of nonattendance, counsel with students and parents, and to take action necessary to enforce the compulsory school attendance laws of Colorado in the District, including initiating proceedings to compel attendance and proceedings for enforcement of court orders compelling school attendance.

Habitually Truant Students

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

When a student fails to report on a regularly scheduled school day and school personnel have received no indication that the parent/guardian is aware of the absence, school personnel shall make a reasonable effort to notify the parent/guardian by telephone. A plan shall be developed for a student who is at risk of being declared habitually truant with the goal of assisting the child to remain in school. The plan shall also include strategies to address the reasons for the truancy. When practicable, the student's parents, guardian or legal custodian shall participate with District personnel during the development of the plan. Appropriate school personnel shall make reasonable efforts to meet with the parent, guardian or legal custodian to review and evaluate the reasons for the student's truancy.

Notification to and Acknowledgement by Parents of Obligation

At the beginning of each school year, and upon enrollment of each new student subject to the compulsory attendance laws, parents, guardians, and legal custodians shall be notified in writing of their legal obligation to ensure their child's attendance at school and shall be requested to sign and return to the school a written acknowledgement of such obligation and to furnish the school with a telephone number or other means of contacting them during the school day.

In addition, the District will notify parents of students who have dropped out of the District but who are not subject to compulsory attendance laws (such as students age

17 or older) of the long-term ramifications of dropping out of school, and encourage the student to return to school. The Board authorizes the Superintendent or designee to develop a notice and notification procedures to achieve this objective.

Nondiscrimination in Application of Attendance Policy

The District will not discriminate on the basis of disability in the application of attendance policy, including the application of make-up or missing work policies.

INTERSCHOLASTIC ATHLETICS (Policy JJI)

The purposes of athletic programs in the secondary schools of the District shall be:

1. To provide a wide basis of participation in both team and individual sports in interscholastic competition.
2. To develop a strong program of competitive sports:
 - a. By encouraging and developing talented athletes in all sports and providing sufficient opportunity, especially at the middle school level, for students to develop individual ability;
 - b. By encouraging the development of team spirit among all members of the team and their coaches;
 - c. By developing good attitudes, pride, sportsmanship, and ethical behavior in students, participants, and spectators;
 - d. By developing and maintaining a good relationship between athletic teams and the student body, faculty, administration, and community;
 - e. By teaching fundamentals and techniques of each sport in a progressive sequence as appropriate for students at higher grade levels;
 - f. By providing student athletes with an awareness of potential opportunities as afforded them through competitive athletics.

In keeping with the above goals, the Board shall seek to fund girls' sports on an equal opportunity basis with boys' sports and shall permit and encourage coeducational teams when the particular sport is determined suitable as a coeducational activity. The Board of Education shall encourage students, faculty, and the community to recognize the value of athletics in relation to the total school program.

No qualified student shall be excluded from participation in athletics solely on the basis of race, color, national origin, ancestry, creed, religion, sexual orientation, disability, or eligibility for special education.

Conduct Rules for Student-Athletes

The student-athlete (the term "student-athlete" as used hereinafter includes athletes and student managers) shall obey the Training Rules and Expectations agreed to by the student-athlete as a condition of participation in District interscholastic activities or athletics. A student-athlete who violates any or all of the Training Rules and Expectations is subject to suspension or expulsion from school and from participation in athletic activities.

These regulations include, but are not limited to, the following:

1. The student-athlete must:
 - a. Not be involved in the use, possession, distribution, gift, purchase, exchange or sale of alcohol;
 - b. Not smoke or use any form of tobacco;
 - c. Not be involved in the use, possession, distribution, gift, purchase, exchange or sale of drugs, as that term is defined in District policy JICH;
 - d. Be willing to submit to rules of conduct and appearance prescribed by the coach when representing the school;
 - e. Inform the head coach that he/she intends to drop or quit any sport; Meet all eligibility rules of the Colorado High School Activities Association and of the District.
2. A student-athlete who violates any or all of the above rules is subject to suspension or expulsion from participation in athletic activities.

STUDENT PUBLICATIONS (Policy JICEA)

A. School-Sponsored Student Publications

The purpose of school-sponsored student publications is to provide students with experience in reporting, writing, editing, and understanding English and responsible journalism. School newspapers can also serve the additional purpose of disseminating school-related information among the members of the school community. However, the student publications should not feel an obligation to serve as a public-relations tool for the school – this is a function of the school newsletter. Because the Board recognizes creative student expression as an educational benefit of the school experience, it encourages freedom of comment, both oral and written, in a school setting with a degree of order in which proper learning can take place.

B. Responsibilities of Students

Student editors of school-sponsored publications shall be responsible for determining the news, editorial opinions, and advertising content of their publications subject to the limitations of sound journalistic practice and state law.

C. Non-School-Sponsored Student Publications

The Board recognizes that freedom of speech and expression is a fundamental tenet of our nation. Freedom of speech and expression includes the right to distribute written or graphic material that is not part of a school-sponsored publication, class or activity at reasonable times and places and in a reasonable manner, subject to the limitations of this policy and state law.

D. Distribution of Materials

Students wishing to engage in an organized distribution of literature shall notify the building principal (or designee) of their intent to distribute at least 24 hours prior to the time of the planned distribution. Except in the case of school-sponsored publications whose distribution has been set at the start of the school year. Principals may establish reasonable guidelines for the distribution to insure that the distribution does not interfere

with the ordinary operations of the school and school environment. Students are not required to produce an advance copy of the materials for the principal's review.

The principal of the school may halt distribution only if the distribution interferes with the proper and orderly operation of the school or any school activity. No student may be compelled or coerced to accept any materials being distributed. Students distributing materials are responsible for picking up materials they have distributed that are discarded in the area of distribution.

Students distributing written or graphic materials in violation of this policy may be subject to disciplinary action, including suspension and/or expulsion, in accordance with District disciplinary procedures.

D. Unauthorized Publications and Distribution

Nothing herein shall be interpreted to authorize the distribution of materials that:

1. Are obscene or pornographic;
2. are libelous, slanderous or defamatory under state law;
3. Invade the privacy of others;
4. Contain an expression that is false and not otherwise protected by laws relating to freedom of expression;
5. Cause a material and substantial disruption of the orderly operation of the school.

School equipment and supplies shall not be used for publication of non-school-sponsored written or graphic materials.

E. Disclaimer and Liability

All school-sponsored student publications shall contain a disclaimer that expression made by students in those publications is not an expression of the school, the District, the Board, or any District employee or Board member.

STUDENT ORGANIZATIONS (Secondary Schools) (Policy JJA)

Student organizations in the District's secondary schools may be curriculum-related or noncurriculum-related. This policy shall govern the creation and operation of all such student organizations.

Any organization established by secondary school students shall not engage in any activity which is contrary to law, District policy or school rules; which disrupts or threatens to disrupt the orderly operation of the school; or which would adversely affect the health, safety or welfare of any student or District employee. Failure to comply with these provisions shall be grounds for revocation of the right to continue meeting under this policy, and may result in student discipline, including suspension and/or expulsion.

Curriculum-Related Student Organizations

Curriculum-related student organizations enhance the participating students' educational experience and supplement course work within the educational program of the schools. Curriculum-related student organizations are those that directly relate to the school's curriculum by meeting any one of the following four criteria: (1) the subject matter of the organization is actually taught or will soon be taught in a regularly offered course; (2) the subject matter of the organization concerns the body of courses as a whole; (3) participation in the organization is required for a particular course; or (4) participation in the organization results in academic credit.

Curriculum-related student organizations may be organized by members of the school faculty on their own initiative or at the suggestion of one or more secondary students, upon prior approval of the school principal. All curriculum-related student organizations shall be sponsored and supervised by one or more members of the school faculty authorized by the principal.

Noncurriculum-Related Student Organizations

1. **School Sponsored Noncurriculum-Related Student Organizations.** Secondary schools within the District may sponsor student organizations that do not meet any of the four criteria specified above and are thus not directly related to the school's curriculum. Such organizations must be approved in advance by the school principal and shall be monitored by one or more members of the school faculty authorized by the principal. Such organizations may conduct meetings and activities on school premises, but only during non instructional time. "Non instructional time" means time designated by the principal when actual classroom instruction is not taking place.
2. **Student Initiated and Led Noncurriculum-Related Student Organizations.** Secondary school students shall be permitted to establish noncurriculum-related student organizations, subject to the provisions of the Federal Equal Access Act and the terms of this policy. Such organizations may conduct meetings and activities on school premises during non instructional time only, upon prior application for permission to and approval of the principal. "Non instructional time" means time designated by the principal when actual classroom instruction is not taking place. The principal of each secondary school shall develop rules concerning the scheduling of times and facilities which are available for such meetings and activities.
 - a. Neither the District nor any secondary school shall deny equal access to school facilities for meetings and related activities, or otherwise discriminate against such organizations or their student members, on the basis of the religious, political, philosophical or other content of the speech of noncurriculum-related organizations established by secondary school students.
 - b. The meetings of noncurriculum-related organizations established by secondary school students must be voluntary and student initiated; must not materially and substantially interfere with the orderly conduct of educational activities within the school; and must not be directed, conducted, controlled or regularly attended by non-school persons. A member of the school faculty shall serve as a monitor for purposes of general supervision at such meetings. No school employee shall be compelled to attend such meetings if the meetings' content is contrary to the employee's belief. School employees present at such meetings shall attend in a non-participatory capacity only.
 - c. Noncurriculum-related organizations established by secondary school students shall not be deemed to be school-sponsored or endorsed. The fact that such organizations are permitted to conduct meetings on school

premises and to access school facilities for related activities under this policy shall not constitute an expression of District or school support for the purposes of such organizations or the views expressed at any meetings thereof.

STUDENT FEES - REGULATION (Board File: JQ-R)

The District shall supply students with textbooks and instructional materials necessary for successful completion of courses of study as part of the District's instructional program.

Students participating in enrichment activities which are not required may be assessed charges necessary to cover expenses such as admission fees, food costs, and transportation costs. Students may also be required to pay the costs of materials for projects in specified classes. The master list of all school fees shall be submitted to the Board of Education annually no later than May.

No fee shall be assessed unless Board approved, although the Board understands that certain fee amounts are variable depending on the activity.

Waiver of Fees:

- A. All Board of Education approved fees shall be waived for those students who meet the District eligibility requirements set by the federal poverty income guidelines. These guidelines include those students on free and reduced-price meals (including homeless and foster students). Application procedures for waiver of fees shall ensure requests will be processed without embarrassment or publication. Staff members shall make every effort to ensure no student is denied the right to participate in any school activity because of lack of funds.
- B. Transportation fees shall be waived for students with an IEP that includes transportation services.

Failure of Pay Fees:

Failure to pay fees may result in sending the outstanding account to collections.

- A. In accordance with state law, failure to pay any fine or fee assessed pursuant to law shall NOT result in the withholding of records required for enrollment in another school.
- B. Failure to pay any fine or fee assessed shall NOT result in the withholding of any specific item paid in full such as a yearbook or athletic uniform.

COMMUNICABLE DISEASES AND LONG-TERM ILLNESSES (Policy JLCC)

By law, the District is required to make educational services available to all children who are residents of the District. However, admission to school may be denied to a child suffering from a disease whereby his or her attendance is inimical to the welfare of other pupils. This would include any disease, infectious condition, or illness which may reasonably be considered to pose an unacceptable risk of being communicated to others. Parents are requested to notify the school principal if their child contracts a communicable disease, infectious condition, or illness and to keep any child temporarily affected thereby out of school until the condition is no longer communicable or until he or she has fully recovered.

A child suffering from a long-term physical illness by which he or she is unable to receive reasonable benefit from the ordinary educational program may be determined to be a child with disabilities under state and federal law.

Any child determined to have a long-term illness, disease, or infectious condition that is known or reasonably suspected to be communicable, shall be evaluated, staffed, and placed in an appropriate educational program in accordance with applicable law. When appropriate, the Colorado Department of Health may be requested to become involved.

Neither this policy nor the placement of a child in any particular program shall preclude the District administration from taking any temporary actions, including removal from the classroom, as deemed necessary to protect the health, safety, and welfare of the child or others.

ADMINISTERING MEDICINES TO STUDENTS (Policy JLCD)

In general, school personnel will not administer medication to students at school unless clearly necessary and where appropriate administration cannot reasonably be accomplished outside of school hours. The parent or guardian shall be responsible for providing all medication to be administered to a student.

Medication administration protocols are differentiated based on the grade of the student. Prescription and over the counter medication will be administered to students at school only at the specific written request of the student's parent or guardian, and with the written authorization of the student's health care provider. (A one-day supply is the exception, see below.) The Student Medication Request and Release Agreement (File: JLCD-E-1), must be signed by the parent or guardian and be accompanied by a health care provider's order for each medication or change of medication the parent wishes to have administered to the student.

If a student must receive prescription or over the counter medication during school hours, the parent or guardian shall furnish the medication. Prescription medication must be in the original pharmacy labeled container. The label shall state the student's name, medication, dosage, number and/or time(s) of dosages per day and name of the prescribing health care provider. Over the counter medication must be in its original packaging. A parent or guardian may deliver medication to the school during school hours. Medications that are brought by the student must be in the packaging as stated above, and sealed in an envelope. If the medication is not in a sealed envelope, the parent or guardian will be contacted.

In certain unforeseen circumstances, verbal request or permission to administer medication may be accepted only when made by the parent or guardian to the school nurse, and only when prior delivery of the required forms is not reasonably possible. Written parental permission and authorization by the prescribing health care provider must be submitted by the parent before medication will be administered a second day. Medication may not be carried during the school day by elementary school students unless there is a need that is documented by the student's health care provider.

High school students may carry a one-day supply of prescription and/or over the counter medication in its original container without a “permission to carry medication” form on file. Middle school students may carry a one-day supply of over the counter medication without any form, but must have the “permission to carry medication” form on file in the school office to carry a one-day supply of prescription medication.

Students using poor judgment in carrying and taking their own medication will have such medication confiscated by school personnel, parents or guardian will be notified, and the student may face disciplinary action. A structured plan will then be developed for the administration of the medication utilizing the “contract to carry medication” form.

Medication shall be administered at each school only by a school nurse or by his or her legal delegate in compliance with the Colorado Nurse Practice Act. Such delegates shall be approved by the principal. Medication will be administered by school personnel, only in accordance with the instructions on the prescription label. School personnel will maintain a written record of all medications administered to students, using the appropriate District form. The record will include the student’s name, medication, dosage, date and time given and the signature of the school personnel administering the medication.

District employees may not administer homeopathic or herbal preparations.

All medications to be administered by school personnel shall be stored per the Colorado Department of Education medication storage guidelines.

Use of Opiate Antagonists in Emergency Situations

To the extent state funding and supplies are available, the District shall have a stock supply of opiate antagonists to assist a student who is at risk of experiencing an opiate-related drug overdose event. For purposes of this policy, an opiate antagonist means Naloxone Hydrochloride or any similarly acting drug that is not a controlled substance and that is approved by the Federal Food and Drug Administration (FDA) for the treatment of a drug overdose.

The stock supply of opiate antagonists may also be used to assist a District employee or any other person who is at risk of experiencing an opiate-related drug overdose event.

Administration of an opiate antagonist by a District employee to a student or any other person shall be in accordance with the applicable state law.

Special Considerations for Asthma and Anaphylaxis

Notwithstanding the above, a student with asthma, severe allergies, or another related, life-threatening condition may possess and self-administer medication as provided in an approved treatment plan developed in accordance with the Colorado Schoolchildren’s Asthma and Anaphylaxis Health Management Act.

Board File: JLCDB

ADMINISTERING MEDICAL MARIJUANA, HEMP OILS AND/OR CANNABINOID PRODUCTS

The Board of Education respects the lawful private medical decisions of families to the extent possible while striving to maintain a safe learning environment for all students. These private medical decisions include those related to the administration of medical marijuana, hemp oils and/or cannabinoid products on school property, at school-sponsored events, or on a school bus as authorized by state law.

Medical Marijuana

A student may be administered medical marijuana under two circumstances:

- 1) The student's primary caregiver (parent, guardian or medical professional) may administer medical marijuana on school property, at a school-sponsored event, or on a school bus, in a non-smokeable form to the student who possesses a valid recommendation for medical marijuana. The parent or guardian shall be solely responsible for providing the non-smokeable medical marijuana.
- 2) School personnel may volunteer to store, administer, or assist in the administration of medical marijuana to a qualified student in a designated location. A student or their parent has no right to demand that any school personnel agree to store, administer, or assist in the administration of medical marijuana to a qualified student, and under no circumstance shall any school personnel be required to store, administer, or assist in the administration of medical marijuana to a qualified student.

In either scenario, the student's parent/guardian must provide the school with a copy of the student's valid recommendation for medical marijuana from a licensed physician and valid registration from the state of Colorado authorizing the student to receive medical marijuana, and the recommendation must include a detailed description of the correct timing and dosage to be administered. This statement shall be maintained with the student's school medical records. The location of the administration of the medical marijuana shall be arranged in advance with the primary caregiver and the building administrator or designee so that the administration of the medical marijuana does not create a disruption to the educational environment.

Student possession, use, distribution, sale or being under the influence of cannabinoid products inconsistent with this policy may be considered a violation of Board policy concerning drug and alcohol involvement by students or other Board policy and may subject the student to disciplinary consequences, including suspension and/or expulsion, in accordance with applicable Board policy.

Hemp Oils

The parents or guardians of students who are administering hemp or CBD oils to the student during school hours that do not meet the state's definition of marijuana (currently CBD oil products with a THC level of 0.3 or less) to a student, shall provide a written statement signed by the parent or guardian specifically describing the product with sufficient information to determine the THC level of the product and the method of delivery. The statement shall release the school and District from any and all legal liability

and financial responsibility to the student and any third party related the administration of the hemp or CBD oil to the student on school property or at school sponsored events. The parent or guardian shall also provide a signed statement from the student's physician that he or she is aware that the student is being administered the product and the method of delivery. These documents shall be maintained with the student's medical records. The parent or guardian shall be solely responsible for providing and administering the CBD product for the student.

The school or school personnel shall not administer, hold or store any medical marijuana, hemp oils, or cannabinoid products in any form. If the Federal Government demands that the District cease and desist execution of activities under this policy at the hazard of losing federal funding, the District will comply with the federal guidance immediately.

STUDENTS WITH SEVERE ALLERGIES (Board File: JLCDA)

The Board recognizes that many students are being diagnosed with potentially life-threatening allergies.

Health care plan

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

Reasonable accommodations

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

Access to emergency medications

Emergency medications for treatment of the student's allergies or anaphylaxis shall be kept in a secure location accessible to designated school staff. Whenever possible and in a timely fashion, the student's parent/legal guardian shall supply the school with the medication needed for treatment of the student's allergies or anaphylaxis, unless the student is authorized to self-carry such medication. Any time an emergency medication is administered staff will call the emergency call number at 911 and the student will either be transported via EMS or be released to a parent or guardian.

STUDENT EDUCATION RECORDS (Policy JRA/JRC)

In recognition of the confidential nature of student education records, no person or agency may access student education records without prior written consent from the student's parent or guardian or eligible student (a student eighteen years of age or older) except as set forth in state or federal law and District policy.

Access to Records

A parent or guardian shall be able to inspect and review the student's education records if the student is under 18 years old or if the disclosure is in connection with a health or safety emergency. However, if a student is 18 years old or older, the student may inspect his/her own records and, unless the student is claimed by a parent/guardian as a dependent for federal income tax purposes, his/her written permission shall be necessary in order for his/her parents or guardian to inspect them. Such student 18 years old or older shall be known as an "eligible student."

In all cases where access to education records is requested, except as provided in this policy, a written request to see the records must be made by the parent/guardian or eligible student. The records custodian, upon receipt of the written request, shall provide access to inspect and review the records and set a date and time for such inspection and review. In the absence of extenuating circumstances, the date set will be within three working days after the request has been made. The person examining the records shall do so in the presence of the principal and/or other person(s) designated by him or her.

The record itself shall not be taken from the school building. However, upon request, one copy of the record shall be provided within a reasonable time to the parent/guardian, eligible student, or properly designated third person at a cost not to exceed \$.25 cents per page to be determined by the superintendent or designee.

Requests to Amend Education Records

Parents/guardians or eligible students who believe that information contained in the education records of a student is inaccurate or misleading, or violates the privacy or other rights of the student, may request that the District amend the records, but grades cannot be challenged pursuant to this policy. Parents/guardians or eligible students shall make such requests in writing to the building principal or, in the case of evaluation data resulting from assessment related to identification of a disability, to the director of Special Education. The request to amend a student's education records must clearly identify the part of the record they want changed and specify why it is inaccurate, misleading or otherwise violates the privacy rights of the student and must be made in writing within 10 school days of the date the records were first examined unless additional time is granted by the District for good cause shown. If the principal or director of Special Education denies the request to amend the records, the parent/guardian or eligible student may request a formal hearing. A request for a formal hearing must be made in writing within 10 school days of the denial and be addressed to the superintendent or designee. The hearing will be held in accordance with the procedures set forth in the regulation accompanying this policy.

Disclosure Without Written Consent

The District may disclose student education records, security video, and/or personally identifiable information contained therein without written consent of the parent/guardian or eligible student only if the disclosure meets one of the following conditions:

1. The disclosure is to a school official within the District having a legitimate educational interest in the education record or the personally identifiable information contained therein. A “school official” for purposes of this policy is a person employed by the District as an administrator, supervisor, instructor, or support staff member, including health or medical staff; a person serving on the Board of Education; a person or company with whom the District has contracted to perform specialized tasks (such as attorneys, auditors, consultants, and health care providers); or a parent/guardian or student serving on an official committee or assisting another school official in performing his or her tasks.
 - a. For purposes of this policy, a school official is determined to have a “legitimate educational interest” if disclosure to the official is: (1) necessary for that official to perform appropriate tasks that are specified in his or her position description or by a contract agreement; (2) used within the context of official District business and not for purposes extraneous to the official’s areas of responsibility; (3) relevant to the accomplishment of some task or to a determination about the student; and (4) consistent with the purposes for which the data are maintained.
2. The disclosure is to officials of another school or school system or institution of postsecondary education, to which the student moves, transfers, makes application to transfer, or otherwise seeks to enroll. Copies of such records shall be provided to the parent/guardian or eligible student upon their request. The records may include data concerning standardized tests; scholastic achievement; disciplinary information; or medical, psychological, or sociological information. Any records sent during the student’s application or transfer period may be supplemented, updated or corrected as necessary.
3. The disclosure is to authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, and state educational authorities.
4. The disclosure is to state and local officials and concerns the juvenile justice system’s ability to effectively serve, prior to adjudication, the student whose records are disclosed as provided under the Colorado Open Records Act and Colorado Children’s Code. Such records and personally identifiable information shall only be disclosed upon written certification by the officials that the records and information will not be disclosed to any other party, except as specifically authorized or required by law, without the prior written consent of the parent/guardian or eligible student.
5. The disclosure is to representatives of entities to which a student has applied for or has received financial aid when the disclosure is for the purpose of determining the amount, conditions, eligibility, or enforcement of the terms of the aid.
6. The disclosure is to accrediting organizations for accrediting functions.
7. The disclosure is to organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate or administer predictive tests; to administer student aid programs; or to improve instruction.
8. The disclosure is to comply with a judicial order or lawfully issued subpoena.

Unless otherwise specified in the order or subpoena, the District shall make a reasonable effort to notify the parent/guardian or eligible student prior to complying with the subpoena or order.

9. The disclosure is in connection with an emergency, if knowledge of the information disclosed is necessary to protect the health or safety of the student or other persons.
10. The disclosure is of information designated by this policy to be directory information.

Nothing in law or District policy prevents school officials from disclosing information derived from personal knowledge or observation.

Disclosure of Directory Information

The District may disclose directory information from a student’s education record without written consent of the parent/guardian or eligible student in accordance with the following provisions:

1. “Directory information” is information contained in a student’s education record that would not generally be considered harmful or an invasion of privacy if disclosed. “Directory information” includes, but is not limited to, the student’s name, e-mail address, gender, date and place of birth, grade level, participation in officially recognized sports and activities, height and weight of athletic team members, school years attended and degrees, awards, honors, and other distinctions received. Directory information also includes a Student ID number or other unique personal identifier used by the student to access or communicate in electronic systems, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user’s identity, such as a password. The addresses, telephone numbers, and photograph of students in elementary or secondary schools shall not be disclosed without the express written permission, utilizing the appropriate form, of the parent/guardian, except to law enforcement agents conducting an investigation of a student if the agents show that it is necessary for the investigation to have access to that information.
2. The parent of a student or an eligible student, while the student is in attendance in the District, has the option of denying the publication of a student’s directory information, including publishing directory information on the school website, by submitting a request , in writing, to the building principal or District registrar, utilizing the appropriate form, at least 20 days in advance of disclosure.

Limitation of Disclosure

Personally identifiable information from a student’s education records shall be disclosed only on the condition that the party to whom disclosure is made will not disclose the information to any other party without the prior written consent of the parent/guardian or the eligible student.

Disclosure of Disciplinary Information to School Personnel

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.

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

Disclosure to Medicaid

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

Disclosure to Criminal Justice Agencies

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

School Security as Law Enforcement Units

The District's School Safety and Security Office employs security staff to monitor safety and security in and around schools and is the designated "law enforcement unit." All investigative reports and other records created and maintained by security are not considered education records. Accordingly, schools may disclose information from law enforcement unit records to others, including outside law enforcement authorities, without parental permission and in accordance with law. Law enforcement unit officials who are employed by the school are designated as "school officials" with "legitimate educational interest." As such, they may be given access to personally identifiable information from students' education records.

Security Videos

The District's School Safety and Security Office may use security cameras as a tool to monitor and improve safety. Images of students captured on security videotapes that are maintained by the school's law enforcement unit are not considered education records under FERPA. Accordingly, these videotapes may be shared with parents of students whose images are on the video and with outside law enforcement authorities as the school law enforcement unit deems appropriate.

Disclosure to the Colorado Commission on Higher Education (“CCHE”)

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

Disclosure to Military Recruiting Officers

Names, addresses, and home telephone numbers of secondary school students shall be released to military recruiting officers for any branch of the United States Armed Forces within 90 days of the request unless the parent or student submits a request, in writing, during express check-in or to the school, that such information not be released. Reasonable and customary actual expenses directly incurred by the District in furnishing this information shall be paid by the requesting service.

Disclosure to Other Parties

The District shall not disclose student education records to individuals or parties other than those listed above and in accordance with federal and state law without prior written consent of the parent/guardian or eligible student. Such written consent shall be signed and dated and shall specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made.

Annual Notification of Rights

The District, at the beginning of each academic year, will notify all parents/guardians and eligible students of their rights under this policy. Copies of this policy, and related forms, may be obtained from the office of the superintendent at any time during normal business hours. Complaints regarding violations of rights accorded parents/guardians and eligible students pursuant to the Family Educational Rights and Privacy Act may be submitted to the Family Policy Compliance Office, United States Department of Education, 400 Maryland Ave., S.W., Washington, D.C. 20202-5901.

Special Education Records

The parents of a student with disabilities must be informed when student records related to special education assessments and services are no longer needed to provide educational services to the student and are scheduled for destruction consistent with the District’s records destruction policies and procedures. Nevertheless, the student’s name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed may be retained even when all other personal identifiers have been removed from a student’s records. No record will be destroyed by the removal of personal identifiers while still needed to provide educational services to a student.

Governing Law

The District shall fully comply with FERPA and its regulations and shall be entitled to take all actions and exercise all options authorized under the law. In the event this policy does not address a provision in FERPA, or is inconsistent with or in conflict with federal or state law or regulation, the provision of state and federal law shall control.

The following are procedures to be used in carrying out policy requirements. Eligible students are those students or former students over the age of 18 years. Either parent

is presumed to have authority to inspect education records unless the school has been provided with a court order denying that parent access to the minor student’s records.

1. **Requests to review student education records by parents, guardians, or eligible students**
 - a. A request to inspect and review student education records must be submitted on an official form (JRA/JRC-E-2) by the parent, guardian, or eligible student, to the building principal of the school attended by the student.
 - b. Upon receiving the request, the building principal shall collect the student’s education records. If the student whose records are requested is or has been identified as a student with disabilities, the principal shall provide a copy of the request to the special education imaging clerk within 24 hours of receipt of the request. The special education records clerk shall assist the principal in securing the records requested.
 - c. Upon receiving the request, the building principal will set a date (usually within three working days after the request has been made) and time for inspection and review of the records.
 - d. The parent, guardian, or eligible student shall examine the student’s education records in the presence of the principal and/or the principal’s designee. The record itself shall not be taken from the school building.
 - e. If the parent, guardian, or eligible student requests, one copy of the student’s education record(s) shall be provided within a reasonable time at a cost not to exceed \$.25 per page in accordance with the policy.
2. **Challenges to content of records**
 - a. A parent, guardian, or eligible student’s challenge to a student’s education records as inaccurate, misleading, or violating the privacy or other rights of the student must be submitted in writing to the building principal (or director of Special Education) within 10 school days of the date the records were first examined, unless additional time is granted by the District for good cause shown. In all instances where challenges are made, the principal or director of Special Education shall notify the superintendent.
 - b. If the parent/guardian or eligible student challenges any part of the student’s education record, the principal (or, in the case of psychological test data, the director of Special Education) should review the part of the record being challenged and may, by mutual agreement with the person making the challenge, destroy, delete, or add the information in question.
 - c. If the principal (or director of Special Education) does not agree with the challenge, the principal (or director of Special Education) shall provide written notice of the decision and of the parent/guardian or eligible student’s right to request a hearing. In all instances where challenges are made, principals are to notify the superintendent.
 - d. Hearings on challenges will be held in accordance with the following procedures:
 - i. The hearing shall be held within 25 calendar days after receipt of the request. Notice of the date, place, and time of the hearing will be forwarded to the parent/guardian or eligible student by hand-delivery or certified mail.

- ii. The hearing will be conducted by a building principal or higher administrative official as designated, in writing, by the superintendent. The official conducting the hearing shall not have a direct interest in the outcome of the hearing.
 - iii. Parents/guardians or eligible students shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of their choice at their own expense, including an attorney.
 - iv. The hearing official shall issue a decision in writing within 20 calendar days following the conclusion of the hearing and shall notify the parent/guardian or eligible student of that decision by certified mail.
 - v. The decision of the hearing official shall be based upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.
 - vi. The hearing official's decision shall include a statement informing the parents/guardians or eligible student of their right to place in the student's records a statement commenting upon the information in the records and/or setting forth any reason for disagreement. Any explanation placed in the records shall be maintained as a part of the records as long as the record itself is maintained by the District. If the education record is disclosed by the District to any other party, the explanation shall also be disclosed to that party.
3. **Records of access and of requests**
- a. All completed request, authorization, and permission forms to view and receive student education records will be filed in the student's file.
 - b. The principal (or, in the case of inactive files, the supervisor of pupil records) shall keep a composite of all requests for inspection and copies of education records.
 - c. Written authorization is not required to be included in a student's education records when the request is made by a parent/guardian, eligible student, or school official within the District having a legitimate educational interest in the records.
4. **Requesting records from other Districts/schools**
- When a student transfers to the District from another District, the principal of the receiving school will ask the parent (or student if the student is of age) to sign an authorization for release of education records which will be completed by the principal and forwarded to the school of previous attendance.

SCREENING/TESTING OF STUDENTS (Policy JRA/JRC)

Physical Screenings

The sight and hearing of all students in kindergarten, first, second, third, fifth, seventh and ninth grades or students in comparable age groups referred for testing shall be tested during the school year by the school nurse, teacher, principal or other qualified person authorized by the District, as required by law. The parent/guardian shall be informed

when a deficiency is found. This provision shall not apply to any student whose parent objects on religious or personal grounds.

Parents/guardians and students 18 years of age or older shall receive notice and have the opportunity to opt out of any non-emergency invasive physical examination or any physical screening (such as routine hearing, vision and dental screenings) that is:

1. Normally required as a condition of attendance;
2. Administered by the school and scheduled by the school in advance; and
3. Not necessary to protect the immediate health and safety of the student, or other students.

Survey, Analysis or Evaluation of Students

Except as otherwise permitted by law, students shall not be required to submit to a survey, analysis, or evaluation related to curriculum or other school activities that is intended to reveal information, whether the information is personally identifiable or not concerning the student or the student's parents/guardians, without written parental consent, that reveals information concerning:

1. Political affiliations
2. Mental or psychological problems potentially embarrassing to the student or the student's family
3. Sex behavior or attitudes
4. Illegal, anti-social, self-incriminating and demeaning behavior
5. critical appraisals of other individuals with whom the student has a close family relationship
6. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians and ministers
7. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program)
8. Religious practices, affiliations or beliefs of the student or the student's parents/guardians

School personnel responsible for administering any such survey, analysis or evaluation shall give written notice at least two weeks in advance to the student's parent/guardian or to the eligible student, if he/she is 18 years old or older. For purposes of this policy, such student 18 years or older shall be referred to as an "eligible student." The notice shall offer to provide the following written information to the parent/guardian or eligible student upon request:

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

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

Parents/guardians and eligible students have the right to review, upon request, any survey, analysis or evaluation administered or distributed by a school to students whether created by the District or a third party.

Nothing in this policy shall:

1. Prevent a student who is working under the supervision of a journalism teacher or sponsor from preparing or participating in a survey, analysis or evaluation without obtaining consent as long as such participation is not otherwise prohibited by federal law;
2. Be construed to prevent a District employee from reporting known or suspected child abuse or neglect as required by state law;
3. Be construed to limit the ability of a health professional that is acting as an agent of the District to evaluate an individual child;
4. Be construed to require parental notice or consent for a survey, analysis or evaluation related to educational products or services for or to students or educational institutions. These products and services include, but are not limited to, the following:
 - College or other postsecondary education recruitment or military recruitment activities.
 - Book clubs, magazines and programs providing access to low-cost literary products.
 - Curriculum and instructional materials used by District schools.
 - Tests and assessments used by District schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students.
 - The sale by students of products or services to raise funds for school-related or education-related activities.
 - Student recognition programs.

Confidentiality

Any survey, analysis or evaluation administered or distributed by a school to students shall be subject to applicable state and federal laws protecting the confidentiality of student records.

Treatment/Testing for Behavior Issues

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

parent/guardian and such discussions may include a suggestion that the parent/guardian speak with an appropriate health care professional regarding any behavior concerns school personnel may have.

Public Conduct on School Property (Policy KFAA)

The District welcomes students, parents and the public to visit and use school grounds and facilities when such visitation or use does not interfere with educational, co-curricular or extra curricular use. Persons using or upon District property for any purpose shall not engage in:

1. Any conduct that obstructs, disrupts or interferes with or threatens to obstruct, disrupt or interfere with teaching, research, service, administrative or disciplinary functions, or any activity sponsored or approved by the District.
2. Coarse and obviously offensive utterances, gestures or displays and the utterance, gesture or display tends to incite an immediate breach of peace, or engage in activities that make unreasonable noise which disrupts the educational process.
3. Physical abuse of or threats of harm to any person on District owned or controlled property, or at District sponsored or supervised functions.
4. Damage to property of the District, or engaging in activity that may cause damage to property of the District.
5. Entering or remaining on school property during hours of closure without authorization. Hours of closure are 10:00 p.m. to 5:00 a.m., unless otherwise posted. Use of playgrounds, fields, tracks or recreational equipment during the school day or within 30 minutes prior to the start of school or 30 minutes after the dismissal of school without authorization of the principal or designee.
6. Unauthorized entry of school or District facilities and/or grounds, including failure to follow visitor check-in procedures, or unauthorized use of facilities or grounds in violation of Administrative Policy KF Community Use of School Facilities and KFR- 1 Community Use of School Facilities Administrative Procedures and Regulations.
7. Unlawful use, possession, distribution or sale of illegal drugs and other controlled or other illegal substances on District property, at school sponsored functions, on any District bus transporting students.
8. Consumption of, being under the influence of, or impaired by alcohol or illicit drugs while in or on a District property or premises, or while attending any District sponsored event or activity.
9. Any use of tobacco products.
10. Violation of parking requirements, restrictions or regulations.
11. Operation or use of motorized vehicles on any location other than designated parking lots or roadways, except as specifically authorized by the superintendent, principal, chief security officer, or designee. Operation or use of unlicensed motorized vehicles on any District property except as specifically authorized by the superintendent, principal, chief security officer, or designee.
12. Bringing animals onto school property with the exception of guide or assistance dogs, or except as specifically authorized by the building principal or other school official.

13. Open or concealed possession of a dangerous or deadly weapon, as defined in state law, on school property or in school buildings or vehicles unless the person falls within one of the exceptions below:
 - a. He/she is a peace officer certified in the state of Colorado.
 - b. He/she is carrying out duties for the District which require the possession of a deadly weapon as specifically authorized by the superintendent or designee,
 - c. He/she is participating in an authorized extracurricular activity or team involving the use of firearms, as approved by the District.
 - d. He/she has possession of the weapon for use in an approved educational program which includes but is not limited to any course designed for the repair and maintenance of weapons, as approved by the District.
 - e. He/she is presenting an authorized public demonstration for the school or an organized class, as approved by the school District.
14. Any conduct constituting a violation of any federal or state law, local ordinance or duly adopted policy and/or regulation of the District.

Any person considered by the superintendent or his designee to be in violation of this policy shall be denied entry or instructed to leave the property or event of the School District. In addition, persons in violation of this policy may be subject to criminal or civil penalties.

If you have any questions about the policies contained in this handbook, please contact your school's principal. The principal can explain how these policies may apply to your circumstances.

District Administration 303-387-0100
District Security 303-387-9999

The printed Code of Conduct is only as current as its print date, therefore, for the most accurate and up-to-date policies, please refer to the policies on the District website at www.dcsdk12.org, click on Board of Education, then click Policies tab.

The District reserves the right to change its policies at any time and such policies are binding and effective at the time of approval by the Superintendent and/or Board of Education.

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