



Fountain - Fort Carson Substitute Handbook 25-26

Welcome to Fountain- Fort Carson School District Eight

District Vision

Fountain-Fort Carson School District 8 will empower every student to thrive as a responsible, productive, and an engaged citizen by inspiring life-long learning and civic engagement, by challenging and supporting every student to achieve to his/her fullest potential, and by embracing the diversity of both the local and global communities.

This handbook is designed to acquaint employees with the District, and provide information about working in the District. The handbook is not all-inclusive, but is intended to provide a summary of some of the District's policies. The language used in this handbook and any verbal statements made by management are not intended to constitute a contract of employment, either expressed or implied, nor are they a guarantee of employment for a specific duration. No employee handbook can anticipate every circumstance or question. After reading the handbook, if you have any questions please talk with your immediate supervisor or the Assistant Superintendent of Human Resources. Also, the need may arise to change the policies described in the handbook. The District therefore reserves the right to interpret them or to change them without prior notice. Employees will be notified of any changes as soon as possible. If there are any unforeseen conflicts between this handbook and the law or Board policy, the latter supersedes.

Fountain-Fort Carson School District 8 Employee Handbook
Contact Information

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<i>Mrs. Kelly Bennett</i> Payroll & Benefits Manager	kbennett@ffc8.org	719-382-1300
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<i>Mr. Joel Hamilton</i> Assistant Superintendent of Human Resources	joelhamilton@ffc8.org	719-382-1300
<i>Mrs. Melissa Patterson</i> Director of Human Resources	mpatterson@ffc8.org	719-382-1300
<i>Mrs. Debra Baker</i> Human Resources Manager	dbaker@ffc8.org	719-382-1300

*If you are not sure who to contact, please contact Human Resources at 719-382-1300.

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**Indicates procedure – not policy*

Guest/Substitute Information

Letter to Guest

Dear Guest,

Welcome to Fountain-Fort Carson School District Eight! We hope that you will enjoy your experiences in the district during this school year. This handbook will provide you with information that will help familiarize you with our district.

It is a general guide to assist you as a guest substitute. Answers to specific questions will be available to you at the individual building when you report for an assignment.

The provisions of this handbook do not create a contract for employment and nothing contained herein is intended to give rise to any claim or cause of action by any guest in a teaching assignment.

Thank you for choosing District Eight as your choice of districts in which to serve in a substitute capacity. We wish you a rewarding experience as you work with our students this school year.

Sincerely,

Joel D. Hamilton

Assistant Superintendent of Human Resources

Definition of Guest

A substitute teacher, as defined by Colorado School Law is, “A teacher who normally performs services as an employee of a school district in an amount of time of four hours or more during each regular school day, but for less than 110 regular school days during an academic year.” In School District Eight, all of our substitutes will be referred to as Guests. We hope that this nomenclature will abate the stigma or attitude of students as regarding the quality and sincerity of guest teachers, paraprofessionals or secretaries.

Procedures for Calling/Scheduling Guests

We use Frontline Absence Management (formerly AESOP), an automated sub calling system. The system will call for same day assignments from 5 a.m.-12:00 p.m. and for future assignments from 4 p.m. to 9:30 p.m.

Should the principal, teacher or secretary for the school where you filled-in ask you to return the following day, it is permissible for you to accept. Please check your calendar to make sure that the new assignment has been entered.

Our hope would be that you are available whenever there is not a legitimate reason for you to refuse an assignment. **Anytime you are unavailable to work, you will need to enter a non- work day in Frontline Absence Management (AESOP).** If you wish to be taken off the guest list, you must notify the Guest/Leave Specialist in writing. **Continually denying opportunities to substitute when requested, refusing to answer the phone when called or continually cancelling a previously accepted assignment may result in you being inactivated from the guest list altogether.** We want and need to employ you! If you are not willing to work on even a semi-frequent basis with us, then you

are not providing the services that we need to function. Therefore, we will need to hire some other guests who would like to work.

School Day

Guests are required to sign-in and sign-out at the school office and be present for the entire duration of each assignment. Assignment start and end times for guest teachers allow for preparation prior to student arrival and clean up after student departure. Guest identification badges should be worn during school hours. We appreciate your professional manner in dress and personal appearance.

Professional Expectations

- A friendly, cheerful, and cooperative attitude toward both the building personnel and students will help to start the day right and to keep it running smoothly.
 - The guest should exhibit a positive and professional attitude toward their work.
 - Guests are expected to observe the same ethical code as regular staff members.
 - Guests must be aware that they are a guest in the classroom and should ensure that they engage with students in a professional manner. Guests may use high fives and fist bumps but should avoid hugging, patting on the shoulder/back, grabbing items from students or other physical forms that may be misconstrued or considered inappropriate.
- A guest should plan to spend the entire assignment working with students.
 - A guest should keep all students for whom they are responsible under supervision at all times.
 - No personal work or hobbies of any kind should be done, even when the regular plan of instruction has been completed.
 - The guest is expected to carry out the program as outlined by the regular staff member and/or assigned by the principal and is employed to provide continuity and learning, not simply "maintain order."
 - Guest assignments may change based on the building's needs for the day. You are expected to be flexible with those changes.
 - Guests are paid a daily rate and may be asked to shift to other classrooms/areas during the plan periods as necessary. Guests should not expect a plan time and can be used in other classrooms during teacher plan times.
 - Guests shall receive a lunch break.
- A guest is legally responsible for students, equipment, and materials assigned to them, as is the regular staff member for whom he/she is substituting.
 - Guests should always ensure that students are supervised. Do not leave students unattended at any time.
- All school employees are covered by worker's compensation insurance. If you are injured on the job, please see the secretary at the school of the assignment that you are working at on the day of your injury or contact Human Resources.
- A guest should not have visitors or be on their phones while they are on duty.
 - Guests will not be called from the regular classroom for personal calls except in emergency situations. Messages will be taken and delivered.
 - **Guests should never use their personal cell phones, school phones or be texting for personal business/reasons while supervising students.**
 - Full attention should be given to actively supervising students while the students are under the care of a substitute.
- Guests should not attempt to call the staff member for whom they are substituting concerning class work or any other matter unless the guest has been requested to do so by the regular staff member.
 - Any questions that arise should be referred to another staff member on duty or a building administrator.

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- Guests should not inject controversial issues, philosophies, or opinions.
- Guests should dress professionally, in good taste and be neat in appearance in order to provide a favorable example for the students and follow the District's dress code policy.
 - Preparations should be made to take into account a variety of climate conditions as well as possible outside coverage needs that may involve inclement weather.
- Guests should not administer medicine or allow students to ingest medicine.
 - All medications must be kept in the school nurse's office and must be administered by the regular staff who are trained to do so.
 - Guests should also not provide food, drinks, snacks or edible rewards to students due to possible student allergies and State laws regarding providing food and drinks to students.
- Should a guest be scheduled, but it is discovered that his/her service is not needed at least 24 hours prior to the absence, that assignment will be cancelled and the guest may attempt to select another vacant assignment.
 - If it is discovered less than 24 hours that the guest's services are not needed, the guest may be re-assigned by the Guest/Leave Specialist to another building or the building principal where the guest was originally assigned may assign other duties within that same building.
 - A guest may also be given the option to go home and not stay for the remainder of the assignment. **If the guest chooses to leave rather than stay and work the assigned time, he/she will NOT be compensated for work not performed.**
- Guests shall not divulge any confidential information regarding students, staff, records or other communications acquired during the course of the work with the School District, except to authorized personnel.
 - At times, during long-term guest assignments, an account is established for the purpose of inputting student grades/records and for electronic communication purposes.
 - These accounts must be used solely for the purpose of work-related matters. Using these accounts for any other purpose is strictly prohibited.
- Guests should give at least 24 hours' notice when canceling an assignment unless it is an emergency.

Responsibilities

The teacher should provide each guest teacher with the following information as available:

1. Lesson Plans/Daily Schedule
2. Seating Chart
3. Attendance Procedures
4. Disciplinary Procedures
5. Teacher Copies of Textbooks and Answer Keys or other Curricular Resources/Technology
6. Names of Class Helpers and Monitors
7. Emergency Procedures (posted in each room)
8. Specific Instructions to be Completed
9. Helpful hints/information regarding particular students that will be supervised
10. Disciplinary Procedures
11. Directions Regarding Before/During/After School Supervision Duties

As a guest teacher, your responsibility is to carry out the instructions/plans in a manner that follows the regular teacher's planning. In the event lesson plans or instructions are not available, you should be prepared to formulate your own with input from the building administrator, other teachers and students. At the end of the day, leave a note for the teacher with a summary of the day's work covered, complete necessary reports and grading; and leave desk, books, and room in an orderly manner.

Salary Structure/Pay Period

Guest **teachers** are employed on a daily basis for partial days (1/3, 1/2, or 2/3) or full day assignments. The compensation rates at the time of this printing are as follows:

Full Day- \$215.00

Half Day- \$107.50

Two-thirds day- \$144.05

One-third day- \$70.95

Guest **support staff** are employed hourly based on the following pay per category:

Classification

ELL Tutor- \$17.25 per hour

Building Technician (Custodian)- \$18.75 per hour

Para Educator- \$18.75 per hour

Bus Monitor- \$18.75 per hour

Bus Driver- \$21.75 per hour

Secretarial- \$19.50 per hour

- Payday is the 27th of each month and will be distributed through your direct deposit account. If the 27th falls on a weekend, you will receive your pay the Friday before the weekend.
 - **Note: Pay periods are based on the calendar month. If you work in the month of August, you receive your pay for all days worked in August on September 27th.**
- After you have worked 20 consecutive school days in the same guest assignment, guests will be paid a per diem rate based upon the current effective base pay rate of regular employees for continuously working in the same position.
- As a Guest with Fountain-Fort Carson School District 8 you are eligible to participate in the District's PERA 401(k) or 457 deferred compensation plans or a 403(b) with one of our approved 403(b) annuity companies.
 - If you are interested in starting one of these plans or need more information please go to the Accounting Department located in the Administration building or call 382-1320.

Time Cards

All classified guest **support staff** are required to complete a time card on a monthly basis (see sample on next page).

All time cards should be legible and show the following:

- Name, Position and Location worked
- Last day of the month
- Daily time worked and total hours for the month

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- Complete only one time card per month. On the right-hand side of the time card, list the name of the employee and location that you were a guest for and obtain the initials of the Absence Management (AESOP) Secretary for the day/days worked
- Time cards must be submitted to the appropriate supervisor at the end of the month. Guests may turn in their time cards directly to the Accounting Department no later than the third working day of the next month for the month just worked
- ACTUAL time worked
- All time worked **must** be initialed daily by the Absence Management (AESOP) Secretary or front office staff. The time card will be sent back to guest if initials are missing.

Healthy Family Workplaces Act (HFWA)

Beginning January 1, 2021 the Healthy Families and Workplaces Act (HFWA) requires employers to provide leave to all employees. **Guests, hourly, and seasonal employees now qualify for HFWA related leave.** HFWA leave will be accrued at one hour of leave for every 30 hours worked up to a maximum of 48 hours for care related to the employee's health, the employee's family member, to handle victim related matters, or due to a Public Health Emergency as outlined in Colorado Senate Bill 20-205.

Requesting HFWA Leave :

- **Classified guest, hourly and seasonal employees** who are scheduled to work an assignment and need to take the day off due to a HFWA related reason will:
 - Write "HFWA" on your timecard for the respective day that you are requesting HFWA leave.
 - Classified Guests will also need to cancel your assignment in Aesop and add HFWA to the comment section.
 - ****Please refer questions to Kim Bays in accounting. (719) 382-1322 or email kbays@ffc8.org**
- **Certified Guests-Teachers** who are scheduled to work an assignment and need to take the day off due to HFWA related reasons will:
 - Submit a Google Leave Request Form. This form can be found on the FFC8 website Under "Certified Substitutes-Teachers"/ "Healthy Families and Workplace Act Leave Request Process."
 - Certified Guests will also need to cancel your assignment in AESOP.

Please refer questions to April Chamberlin in Human Resources- (719) 382-1317 or email achamberlin@ffc8.org

HFWA Q &A

- Where can you find your HFWA Leave Balance?
 - **You can find your HFWA Leave balance on your monthly pay stub.**
- When can I use my HFWA Leave?
 - **You can use your HFWA leave for any of the reasons listed below:**
 - A mental health or physical illness, injury, or health condition that prevents work; obtaining preventive medical care, or a medical diagnosis, care, or treatment, of any mental or physical illness, injury, or health condition;
 - Being a victim of domestic abuse, sexual assault, or criminal harassment who needs leave for medical attention, mental health care or other counseling, victim services (including legal), or relocation;
 - Or care for a family member who has mental or physical illness, injury, or health condition;

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- Due to a public health emergency, a public official closed the employee's place of business, or child's school or place of care, requiring the employee to care for the child.
- The employee needs to care for a family member whose school or place of care has been closed due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected occurrence or event that results in the closure of the family member's school or place of care; or
- The employee needs to evacuate the employee's place of residence due to inclement weather, loss of power, loss of heating, loss of water, or other unexpected occurrence or event that results in the need to evacuate the employee's residence.

Schools and Contact Information

Fountain-Fort Carson Administration Office

10665 Jimmy Camp Road

Fountain, CO 80817

719-382-1300

Schools Located in Fountain:

Aragon Elementary

211 South Main Street

Principal- Tracey Landrum

Assistant Principal- Stephanie Lee

Dean of Students- Martha Honea

Guest Secretary Contact- Blanca Rodriguez (382-1341)

Conrad Early Learning Center

10605 Jimmy Camp Road

Preschool Administrator – Laura Browning

Guest Secretary Contact – Jennifer Wynn (304-3500)

Eagleside Elementary

9750 Sentry Drive

Principal- Karisa Legg

Assistant Principal- Amanda Bower

Dean of Students- Jennifer Kinkennon

Guest Secretary Contact- TBD (382-1520)

Jordahl Elementary

800 Progress Dr.

Principal- Kary Davis

Assistant Principal- Kalyn Dickey

Dean of Students- Louann Guidan

Guest Secretary Contact- Cassie Krieg (382-1401)

Mesa Elementary

400 Camino Del Rey

Principal- Megan Oleson

Assistant Principal- Nathaniel Heath

Assistant Principal- Christen Mellars

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Guest Secretary Contact- Jewel Allen (382-1371)

Fountain Middle School

515 N. Santa Fe Ave.

Principal- D. Corrie Walker

Assistant Principal- Brian Gasser

Assistant Principal- Hazley Sutter

Assistant Principal- Andrew Egeler

Dean of Students- Sulema James

Guest Secretary Contact- Nakia Jenkins (382-1580)

Fountain-Fort Carson High School

900 Jimmy Camp Rd.

Principal- Anthony Greco

Assistant Principal- Dr. Rachel Cullen

Assistant Principal- Keith Smith

Assistant Principal- Ryan Leaming

Assistant Principal- Meagan Case

Dean of Students- Ashlin Stock

Dean of Students- Matthew Kappelman

Guest Secretary Contact- Gardenia Falealili (382-1640)

Welte Education Center

330 Lyckman Dr.

Principal- Cito Nuhn

Assistant Principal- Erika Ramirez

Guest Secretary Contact- Aubry Fuller (382-1558)

Programs:

A.I.M.

10705 Trojan Point7

Administrator- Jason Crow

Administrative Assistant- Carol Costlow (304-3563)

Schools Located on Fort Carson:

Abrams Elementary

600 Chiles Ave.

Principal- Benjamin Baldner

Assistant Principal- Savannah Smith

Dean of Students- Mike Enright

Guest Secretary Contact- Pamela Martinez (382-1490)

Mountainside Elementary

5506 Harr Ave.

Principal- Melanie Baker

Assistant Principal- Julie Maiatico-Christiansen

Dean of Students- Kirsten Knight

Guest Secretary Contact- Shamekia Clinton (382-1431)

Patriot Elementary

7010 Harr Ave.

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Principal- Linette Sheridan
Assistant Principal- Angela Montuori
Assistant Principal- Kathrin Polyefko
Guest Secretary Contact- Kari Leach (382-1469)

Weikel Elementary
6565 Lindstrom St.

Principal- Noah Pogar
Assistant Principal- Meggan Mears
Dean of Students- Randy Meegatti
Guest Secretary Contact- Rebecca McRae (358-4321)

Carson Middle School
6200 Prussman Blvd.

Principal- Stacie Hogue
Assistant Principal- Kayleigh Thonton
Assistant Principal- Brett Derickson
Guest Secretary Contact - Elizabeth Bishop (382-1610)

File: JLF

Reporting Child Abuse/Child Protection

It is the policy of the Board of Education that this school district comply with the Child Protection Act.

To that end, any school official or employee who has reasonable cause to know or suspect that a child has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which would reasonably result in abuse or neglect, as defined by statute, shall immediately upon receiving such information report or cause a report to be made to the El Paso County Department of Social Services, the Fountain City Police Department or other local law enforcement agency. Failure to report promptly may result in civil and/or criminal liability. A person who reports child abuse or neglect in good faith is immune from civil criminal liability.

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

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

School employees and officials shall not contact the child's family or any other persons to determine the cause of the suspected abuse or neglect. It is not the responsibility of the school official or employee to prove that the child has been abused or neglected.

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

You are a mandated reporter if:

- You have a suspicion that abuse or neglect has or may occur and you work in an environment with children or vulnerable adults.

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- Concerns have to be reported *immediately* to DHS or law enforcement. If you fail to report, you could be charged with a Class 3 misdemeanor, which could result in three months in jail or a fine.

Steps for Reporting:

- District personnel, who suspect abuse or neglect, should work with a District 8 designated reporter (School Principal, AP, Counselor, School Psych or Social Worker) to make the necessary verbal and written reports.
- Written and Verbal reports must be made to DHS or local law enforcement **on the day** that an employee becomes aware of the suspected abuse or neglect.

Reporting Child Abuse:

DO

- Believe and listen to the child
- Reassure the child that they have done the right thing by reporting
- Tell the child help is available
- Let the child know you must report to someone who can help
- Report the incident immediately to the designated reporter, who will report to DHS

DON'T

- Promise confidentiality or safety
- Panic or express shock
- Ask leading or suggestive questions
- Make negative comments about the alleged perpetrator
- Suggest the abuse did not happen or the child is mistaken

Child Abuse and Neglect Hotline- 1-844-CO-4-Kids

***School Closings, Cancellations, and Delayed Starts**

The weather in Colorado can vary from day to day and through different parts of the Colorado Springs region. District administration constantly monitors weather reports and road conditions when weather is predicted that could impact school operations. This data, in conjunction with information from the City of Fountain, Fort Carson, the National Weather Service, and neighboring school districts, is used to determine whether to run on a normal schedule, delay school start times, or close school. Such communication will be distributed as early as possible to all audiences.

Delayed Start Due to Inclement Weather:

During an inclement weather closure, teaching staff and students will not be expected to engage in remote or virtual learning. Guest assignments for the day will be canceled.

Morning preschool would be cancelled. Guests will be paid for the original time scheduled prior to the delay being called.

Weather Decisions for Fort Carson vs. FFC8:

Occasionally, Fort Carson and Fountain-Fort Carson School District 8 will make different decisions with regards to weather and operations. Please ensure that you follow District 8 delay and closure information.

I. GENERAL INFORMATION

File: GBA

Open Hiring/Equal Employment Opportunity

The Board subscribes to the principles of the dignity of all people and of their labors. It also recognizes that it is both culturally and educationally sound to have persons of diverse backgrounds on the school district's staff.

Therefore, the district promotes and provides for equal opportunity in recruitment, selection, promotion and dismissal of all personnel. Commitment on the part of the district towards equal employment opportunity applies to all people without regard to disability, race, creed, color, sex, sexual orientation, marital status, national origin, religion ancestry, age, military or veteran status, genetic information, conditions related to pregnancy or childbirth, or any other category as covered under federal or state statute. For the purpose of this and other district policies, "sexual orientation" means a person's orientation toward heterosexuality, homosexuality, bisexuality, or transgender status or another person's perception thereof.

The district will ensure that it does not unlawfully discriminate in any area of employment including job advertising, pre-employment requirements, recruitment, compensation, fringe benefits, job classifications, promotion and termination.

Civil rights-based complaints can be directed to the district's compliance coordinator (AC-E-1).

File: AC

Nondiscrimination/Equal Opportunity

The district is committed to providing a safe learning and work environment where all members of the school community are treated with dignity and respect. It is critical to this commitment that anyone who may have experienced discrimination or harassment in the context of the district's educational programs, activities, or employment can report their concerns without fear of retaliation.

This policy AC and the implementing regulations are designed to foster a climate that provides preventative measures and encourages the reporting of discrimination and harassment and related retaliation. The district administrators will engage in prevention efforts, train the school community, respond to all complaints promptly, provide supportive measures, and develop fair and equitable processes to investigate and address complaints of discrimination and harassment, and related retaliation, and ensure all parties are treated fairly and impartially.

This policy defines prohibited conduct and guides individuals to the specific regulation governing the applicable reporting and response processes. Complaints of harassment or discrimination against a student should be made pursuant to AC-R-1. Complaints of harassment and discrimination against applicants, employees or community members should be made pursuant to AC-R-2. Complaints of bullying against a student based on their membership in a protected class should be made under AC-R-1. Complaints under Title IX should be made under AC-R-3. Supportive measures and prompt response times are required components of all regulations.

Definitions

- **"Bullying"** is any written or oral expression, physical or electronic act or gesture, or a pattern thereof, that is intended to coerce, intimidate, or cause any physical, mental or emotional harm to another. Bullying is student-on-student behavior. The following policy has more details on the definition of bullying, the prevention process, and the reporting process:

- Policy JICDE, Bullying Prevention and Education

If the bullying is based on a student's protected class, the behavior may constitute discrimination or harassment. Bullying based on a student's protected class should be addressed through the following regulation:

- Regulation AC-R-1
- **“Protected classes”** include race, color, gender or sex, sexual orientation, religion, national origin, immigration/citizenship status, ancestry, age, pregnancy, marital status, veteran status, disability, family composition, genetic information of an employee or applicant for employment, and other categories as covered in statutes C.R.S. 2-4-401 and C.R.S. 24-34-301.
- **“Harassment”** is any unwelcome, physical or verbal conduct or any written, graphic, or visual communication directed at a student, employee, applicant, or member of the public based on their protected class that is objectively offensive to a reasonable individual who is a member of the same protected class, that also:
 - for a student, is either made a term or condition of access to educational services, is used or threatened to be used as a basis for educational decisions affecting the student, interferes with a student's ability to participate in the district's educational services, or creates an intimidating, hostile, or offensive educational environment;
 - for an applicant or an employee, is subjectively offensive to the individual alleging harassment, is made a term or condition of employment, is used as a basis for employment decisions affecting the individual, unreasonably interferes with the individual's work performance, or creates an intimidating, hostile, or offensive working environment;
 - for a member of the community, is subjectively offensive to the individual alleging harassment, and unreasonably interferes with a community member's ability to participate in the district's services, activities, or opportunities.

Whether conduct constitutes harassment depends on a number of factors, including, but not limited to:

- the type, frequency, and duration of the conduct;
- the number of individuals involved and their relationships;
- the age and education level of individuals involved;
- the location and context in which the conduct occurred;
- whether the conduct is threatening or any real or perceived power differential exists;
- any use of stereotypes, epithets, slurs, or degrading conduct or communication;
- whether the conduct includes an act of physical violence;
- the effect on the complainant's education or employment, if applicable.
- **“Discrimination”** occurs when a student or community member is denied or limited in the ability to participate in or benefit from the district's services, activities, or opportunities on the basis of their protected class. Discrimination also occurs when the district fails or refuses to hire an employee, discharges an employee, or otherwise treats an employee differently with respect to compensation, terms, conditions, privileges, opportunities, or status on the basis of their protected class. Harassment of a student, employee, or community member is a form of discrimination.

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The following regulations have more details on harassment and discrimination and the related complaint process:

- AC-R-1 Harassment and Discrimination Investigation Procedure for Students
 - AC-R-2 Harassment and Discrimination Investigation Procedure for Employees, Applicants for Employment and Members of the Public
 - AC-R-3 Sex-based Harassment Investigation Procedures under Title IX
- **“Retaliation”** is intimidating, threatening, coercing, or discriminating against an individual who has reported an incident of harassment, discrimination, or bullying. Retaliation includes charges against a student for code of conduct violations related to the incident for the purpose of punishing a student for making a report or otherwise interfering with a student’s rights under this policy.
 - **“Sex-based Harassment”** under Title IX is conduct on the basis of sex that could include unwelcome sexual advances, requests for sexual favors, or other unwelcome physical or verbal conduct or communication of a sexual nature. Because Title IX’s definition of sex-based harassment is a federal standard, the definitions and procedures differ slightly from sex-based harassment under state law. More information on sex-based harassment can be found in the following policies and regulation:
 - Policy GBAA, Sex-based Harassment [for Staff]
 - Policy JBB, Sex-based Harassment [for Students]
 - Regulation AC-R-3, Sex-based Harassment Investigation Procedures under Title IX
 - **“Respondent”** means a student or employee who has been reported to have engaged in conduct that could constitute harassment.
 - **“Complainant”** means a student, employee, or community member alleged to have experienced discrimination or harassment. A complainant may or may not be the reporting party.
 - **“Reporting Party”** means a person who raises a concern or allegation of discrimination or harassment on behalf of a complainant with the compliance officer. Any district student, employee, or community member may be a reporting party.
 - **“Compliance Officer”** means the district employee who is responsible for coordinating and overseeing the district’s discrimination and harassment prevention and response efforts. Among other responsibilities, the compliance officer will coordinate and oversee the district’s discrimination and harassment investigation, consultation, recordkeeping, monitoring, and training processes. To facilitate this work, all district employees must inform the compliance officer of all reports and complaints raising discrimination and harassment issues implicating this policy. The compliance officer may appoint a designee to perform any of their assigned duties, including performing the investigation and issuing the report.
 - **“Supportive Measures”** are individualized services to restore or preserve equal access to education, protect student and employee safety, or deter harassment and discrimination. Supportive measures may be provided regardless of whether a complaint has been filed. Supportive measures may include, but are not limited to:
 - Counseling;
 - extensions of deadlines or other course-related adjustments;
 - extra time for homework or tests;
 - the opportunity to resubmit homework or retake a test;
 - remedying an impacted grade;

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- excused absences;
 - the opportunity for home instruction;
 - modifications to class schedules; and
 - restrictions on contact between the parties to a complaint of harassment or discrimination.
- **“Title IX Coordinator”** means the employee designated by the district to coordinate its efforts to comply with Title IX of the Education Amendments and the district’s Title IX program.

Employee Matters

Mr. Joel Hamilton
Assistant Superintendent of Human Resources
10665 Jimmy Camp Road
Fountain, Colorado 80817
Telephone: (719) 1300
Email: joelhamilton@ffc8.org

Student/Members of the Public Matters

Dr. Montina Romero
Deputy Superintendent
10665 Jimmy Camp Road
Fountain, Colorado 80817
Telephone: (719) 382-1300
Email: mromero@ffc8.org

Harassment, Discrimination, and Retaliation Prohibited

Discrimination, harassment, and bullying on the basis of protected class are prohibited at any district school, at any district or school-sanctioned activity or event, on any district property (or off school property when such conduct has a connection to the school), or any district curricular or non-curricular activity or event. Retaliation for reporting harassment or for participating in any way in an investigation of harassment or discrimination is also prohibited.

District Action

The district encourages anyone - students, parents and family members, volunteers, educators, or staff members - who witness bullying, harassment, discrimination, or retaliation to report the conduct by making a complaint in accordance with the appropriate regulation. All school staff who witness or receive complaints of harassment or discrimination are required to promptly share any such complaints with the compliance officer.

The district will take appropriate action to promptly and impartially investigate allegations of discrimination and harassment, to end unlawful behavior, to prevent the recurrence of such behavior, and to prevent retaliation against the individual who files the complaint and/or any person who participates in the investigation. When appropriate, the district will take additional action during the investigation to protect against further discrimination, harassment, or retaliation.

To the extent possible, all complaints of discrimination and harassment will be kept confidential. Students or employees who knowingly file false complaints or give false statements in an investigation may be subject to discipline, up to and including suspension/expulsion for students and termination of employment for employees. No student, employee, or member of the public may be

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subject to adverse treatment in retaliation for any good faith complaint of harassment or discrimination under this policy.

Upon determining that incidents of discrimination or harassment are occurring in particular district settings or activities, the district will implement measures designed to stop the discrimination or harassment and otherwise remedy the problem in those areas or activities.

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

The compliance officer will refer any potential criminal charges to law enforcement.

Notice and Training

The district will issue a written notice prior to the beginning of each school year that advises students, parents, employees, and the general public that the educational programs, activities, and employment opportunities offered by the district are offered without regard to disability, race, creed, color, gender or sex, sexual orientation, family composition, marital status, national origin, religion, ancestry, other categories as covered under federal or state statute, or need for special education services. With respect to employment practices, the written notice will prohibit discrimination on the basis of age, genetic information, and conditions related to pregnancy or childbirth.

The announcement will also include the name, address, email address, and telephone number of the person(s) designated to coordinate Title IX, Section 504, and ADA compliance activities. Where possible, the notice will be disseminated to persons with limited English language skills in the person's own language. It will also be made accessible to persons who are visually or hearing impaired.

This policy and the implementing regulations, which include the complaint process, must be prominently posted on the district's website in plain language, and made available to all students, parents, and staff through electronic or hard-copy distribution. Training materials regarding sex-based discrimination and sex-based harassment are available to the public on the district's website.

Students and district employees will receive periodic training related to recognizing, reporting and preventing discrimination and harassment. District employees must receive additional training related to handling reports of discrimination and harassment.

The training will comply with Colorado state law and will include, but not be limited to, instruction on the following:

- Recognizing harassment or discrimination, including indicators of grooming and child sexual abuse;
- The appropriate immediate response when harassment or discrimination is reported to or witnessed by an employee;
- Reporting harassment or discrimination to the public school or school district.

File: AC-R-2

Harassment and Discrimination Investigation Procedures for Employees, Applicants for Employment and Members of the Public

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The district prohibits discrimination against any employee, applicant for employment, and members of the public. It is a violation of policy for any staff member or student to harass employees, applicants for employment, or members of the public, or to retaliate against those who report harassment or discrimination or participate in an investigation of harassment or discrimination. For the purposes of this regulation, "harassment" is any unwelcome conduct or communication directed at an individual because of their protected class, as described in Policy AC. The conduct or communication must be subjectively offensive to the individual alleging harassment and objectively offensive to a reasonable individual who is a member of the same protected class. The conduct or communication must meet at least one of the following: (i) submission to the conduct or communication is explicitly or implicitly made a term or condition of the individual's employment; (ii) submission to, objection to, or rejection of the conduct or communication is used as a basis for employment decisions affecting the individual; or (iii) the conduct or communication has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment.

The below grievance procedures provide for the fair, impartial, and prompt resolution of complaints of harassment or discrimination against employees, applicants for employment and members of the public.

Allegations of sex-based discrimination or sexual harassment arising under Title IX must follow the procedures specifically outlined in Policy AC-R-3.

Investigation Process

Throughout the investigation, the district will keep information related to the investigation confidential to the extent possible. The investigation will be fair, impartial, and prompt. The district will make a good faith effort to complete an investigation within sixty days after the complaint is made, with an additional thirty day extension possible for good cause. The compliance officer will attempt to adhere to all timelines. If the compliance officer needs more time with regard to any aspect of the investigation, they will notify the parties in writing as to the reason for the extension. All parties will be treated equitably and will be provided equal opportunity to present evidence.

1. Making a Complaint

Any person who witnesses or experiences harassment, discrimination, or retaliation against employees, applicants for employment or community members, is encouraged to report the conduct by making a complaint with the district's compliance officer.

Any staff member who receives information about, witnesses, or experiences harassment, discrimination or retaliation must report the incident to the district's compliance officer.

Complaints may be made by phone, by email, in person, or through an online form and should include a detailed description of the alleged event(s), the date(s) the alleged events occurred, and name(s) of the parties involved, including any witnesses. The complaint should be made as soon as possible after the incident.

- Compliance Officer: Mrs. Melissa Patterson, Director of Human Resources, 10665 Jimmy Camp Road, Fountain, Colorado 80817, Telephone: (719) 382-1300, Email: mpatterson@ffc8.org

- No person can serve as the compliance officer in a matter in which they have a bias or conflict of interest with regard to the parties and/or the underlying conduct. If the compliance officer is

alleged to have participated in prohibited conduct, complaints may be made to the following district employee.

- Mr. Joel Hamilton, Assistant Superintendent of Human Resources, 10665 Jimmy Camp Road, Fountain, Colorado 80817, Telephone: (719) 382-1300, Email: joelhamilton@ffc8.org

Retaliation against the complainant, respondent, or any other person who filed a complaint or participated in an investigation is prohibited. Individuals found to have engaged in retaliatory behavior will be subject to disciplinary measures.

2. Evaluation by Compliance Officer

Before proceeding with the investigation, the compliance officer will review the complaint to determine whether the alleged conduct constitutes potential discrimination or harassment. The compliance officer may refer the matter back to the building principal or appropriate administrative department if the conduct alleged does not implicate a protected class or otherwise fit the characteristics of harassment or discrimination.

The compliance officer will refer any potential criminal charges to law enforcement. Upon the request of law enforcement, the compliance officer will delay action on a complaint for a reasonable amount of time to allow law enforcement to investigate the matter and will notify the parties of the delay. The compliance officer will not rely solely on a criminal investigation by a law enforcement agency in lieu of responding to a report of harassment or discrimination but may consider any evidence collected by law enforcement in making any determinations.

The compliance officer may assign any or all aspects of the investigation to a qualified alternate for any reason, including conflict of interest, bias concerns and/or insufficient capacity due to other matters.

As used in this regulation, the term “compliance officer” refers to the compliance officer or their designee.

3. Initial Meetings with the Parties

The following details actions to be taken by the compliance officer upon the determination that the underlying allegations, if proved to be true, constitute harassment or discrimination.

- Initial meeting with Reporting Party, if any, and Complainant: Within 5 school days following receipt of the complaint, the compliance officer will meet with the complainant and any reporting party.***

The purpose of the initial meeting is for the compliance officer to:

- provide the complainant with the information detailed in paragraph (c) below; and**
- collect any additional information necessary to complete the complaint and determine whether the allegations, if proven to be true, constitute discrimination or harassment.**

If the compliance officer determines there is no merit to the allegations, the compliance officer may dismiss the complaint and will notify the complainant in writing. If the complaint is dismissed at this stage, the compliance officer may meet with the respondent to advise them of the allegations and offer supportive measures.

- b. *Initial Meeting with Respondent:* As soon as possible after meeting with the complainant and any reporting party, the compliance officer will meet with the respondent and, if this individual is a student, their parents/guardians in order to obtain a response to the complaint. At the initial meeting, the compliance officer will advise the respondent as to the allegations against them and give the respondent a chance to respond to those allegations.**
- c. *Information Provided at the Initial Meetings:* The compliance officer will provide to both the complainant and respondent the same basic information, including:
 - i. available supportive measures**
 - ii. copies of Board Policy AC and this implementing regulation;**
 - iii. timeline for the investigation process and the district's legal obligations;**
 - iv. the possibility of resolving the complaint informally upon agreement of all parties;**
 - v. that information collected in the investigation is confidential, so long as confidentiality does not prevent the district from responding effectively to prohibited conduct and preventing future prohibited conduct; and**
 - vi. all parties have a right to have an advisor present during all stages of the investigation.****

4. Informal Complaint Resolution

When the compliance officer deems it appropriate, an informal resolution process may be instituted. The informal resolution process may involve mediation, counseling, and restorative practices, but may only be used if both parties are non-students and both parties agree. Agreement must be voluntary, non-coerced, and documented in writing. Informal resolution may not be used if the underlying offense involves sexual assault or other act of violence. No party will be forced to participate in informal resolution and either party may request an end to an informal process at any time.

If both parties feel a resolution has been achieved through informal resolution, no further action need be taken to resolve the complaint. However, within 7 work days following the conclusion of the informal resolution process, the compliance officer must prepare a written report for the parties detailing the process and any agreed upon corrective or restorative measures provided, including any steps the district will take to prevent future discrimination or harassment.

5. Formal Complaint Resolution

If informal resolution is inappropriate, unavailable, or unsuccessful, the compliance officer will engage in formal complaint resolution. The compliance officer will proceed as follows:

- a. *Collect Evidence:* The compliance officer will collect evidence, including, but not limited to: statements by any witness to the incident and any available physical or documentary evidence; evidence about the credibility of the parties involved; evidence about whether the respondent has engaged in other incidents of misconduct; evidence of the complainant and respondent's respective reactions or**

changes in behavior following the incident; and evidence regarding whether the complainant took action to protest the conduct. Evidence may be collected by interviews with parties and witnesses, reviewing information, requesting written statements, or other appropriate ways.

- b. *Determination:* No later than 45 work days following receipt of the complaint, the compliance officer must prepare a written report which determines whether discrimination or harassment occurred.**

The compliance officer will apply the preponderance of the evidence standard, which means that it is more likely than not that the conduct occurred. In making this decision, all relevant circumstances must be considered by the compliance officer, including:

- i. the degree to which the conduct affected the complainant's ability to participate in or benefit from the school or work environment;**
- ii. the type, frequency and duration of the conduct, recognizing that a single incident may rise to the level of harassment, and that conduct or communication that, at one time, was or is welcome between two or more individuals may become unwelcome to one or more of those individuals;**
- iii. the number of individuals engaged in the conduct or communication;**
- iv. the identity of and relationship between the respondent and the complainant;**
- v. the location of the incident and context in which it occurred;**
- vi. whether the conduct was threatening;**
- vii. the use of epithets, slurs or other conduct that is humiliating or degrading;**
- viii. whether the conduct or communication reflects stereotypes about an individual or group of individuals in a protected class;**
- ix. any power differentials between the parties;**
- x. any other relevant circumstances.**

Whether harassment has previously occurred in the district is not relevant as to whether the conduct or communication is discriminatory. Petty slights, minor annoyances, and lack of good manners do not constitute harassment, unless, combined, they impact an individual's employment or create a hostile environment as described in the definition of harassment.

The decision must include a determination of whether the respondent engaged in harassment or discrimination, an explanation of how and why the compliance officer reached the conclusions outlined in the report, a description of any supportive measures/disciplinary sanctions already taken, and recommendations for future disciplinary measures.

If the compliance officer is not the superintendent, the compliance officer's report is advisory and must not bind the superintendent or designee to any particular remedy, sanctions, or other appropriate corrective or restorative action.

If the compliance officer is the superintendent, the report will include the determination of any remedy, sanctions or other appropriate corrective or restorative actions.

6. Disciplinary Measures and Outcome

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As soon as practicable after receiving the compliance officer's findings and recommendations, the superintendent or designee must determine any sanctions or other actions deemed appropriate.

To the extent permitted by federal and state law, all parties must be notified in writing of the final outcome of the investigation no later than 7 work days following the superintendent's or designee's final determination.

Resources

Throughout the investigation, or after the investigation concludes, affected individuals may choose to use the following resources:

National Domestic Violence Hotline: 1-800-799-SAFE (7233)
National Sexual Assault Hotline: 1-800-656-4673
Colorado Department of Human Resources Domestic Violence Program:
<https://cdhs.colorado.gov/dvp>
Violence Free Colorado: <https://www.violencefreecolorado.org/>
The Crisis Center 24/7 Hotline: 303-688-8484
Local resources for use by staff include: *[Insert local Resources]*

Outside Agencies

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

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

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

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

Sex-based Harassment Investigation Procedures (Title IX)

The district is committed to maintaining a learning environment that is free from sex-based discrimination, including sex-based harassment. It is a violation of policy for any staff member to harass students or for students to harass other students through conduct or communications of a sexual nature, or to retaliate against anyone that reports sex-based discrimination or harassment or participates in a harassment investigation.

Definitions

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

- **“Complainant”** means an individual who is alleged to have been subjected to conduct that could constitute sex-based discrimination or sex-based harassment under Title IX.
- **“Decision Maker”** means an individual(s) who assess the relevant evidence, including party and witness credibility, to decide if the district has met the burden of proof showing the respondent to be responsible for the alleged sex-based harassment. The district’s decision maker may be the superintendent, another designated administrator, or a third party.
- **“Disciplinary Sanction”** means a consequence imposed by the district on a respondent who is found to have violated this policy. Sanctions are designed to remedy and prevent the recurrence of discrimination, harassment, and/or retaliation. Disciplinary sanctions may include: no contact orders, required training, loss of privileges, suspension, or expulsion.
- **“Education Program or Activity”** means locations, events, or circumstances over which the district exercises substantial control, including disciplinary, over both the complainant and respondent and the context in which the sex-based harassment occurs.
- **“Respondent”** means an individual who has been reported to have violated the district’s prohibition on sex discrimination.
- **“Sex Discrimination”** is discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.
- **“Sexual-based Harassment”** is a form of sex discrimination and includes sexual harassment or other harassment on the basis of sex that satisfies one or more of the following:
 1. Quid pro quo harassment - A school employee conditioning education benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
 2. Hostile environment harassment - Unwelcome sex-based conduct that, based on the totality of circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person’s ability to participate in, or benefit from, the education program or activity; or

3. Specific offenses - Sexual assault, dating violence, domestic violence, or stalking.

- **“Supportive Measures”** mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, without fee or charge, to the complainant or respondent to restore or preserve the party’s access to the education program/activity, including safety measures, or provide support during the grievance procedures, before or after the filing of a formal complaint or where no formal complaint has been filed. Possible supportive measures include academic support, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual no-contact directives, leaves of absence, changes in work/school locations, access to identified trusted adults at school, increased monitoring of locations, safety planning and referral to outside agencies and supports.
- **“Remedies”** means measures provided, as appropriate, to a complainant or any other person the district identifies as having had their equal access to the education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person’s access to the education program or activity after the district determines that sex discrimination occurred. Remedies may include: *counseling, updating policies, staff or student training, accommodations.*
- **“Retaliation”** means threats, intimidation, coercion, discrimination, or other adverse action against any person for the purpose of interfering with any right or privilege secured by Title IX or because the person has made a report or complaint, testified, assisted, or participated or refused to participate in an investigation, proceeding, or hearing under this policy.
- **“Title IX Coordinator”** means the employee designated by the district to coordinate its efforts to comply with Title IX responsibilities. The Title IX Coordinator will also objectively evaluate the credibility of parties and witnesses and synthesize all available evidence – including both inculpatory and exculpatory evidence – and take into account the unique and complex circumstances of each situation. The district's Title IX Coordinators are:
 - **Students** - Dr. Montina Romero, Deputy Superintendent, - 10665 Jimmy Camp Road, Fountain, CO 80817; 719.382.1300; mromero@ffc8.org
 - **Staff** - Mr. Joel Hamilton, Assistant Superintendent of Human Resources – 10665 Jimmy Camp Road, Fountain, CO 80817; 719.382.1300; joelhamilton@ffc8.org.

Complaint Resolution Process

Investigations into complaints alleging violations of Title IX will proceed as described below. The investigation will be adequate, reliable, and impartial. All parties will be treated equitably and will be provided equal opportunity to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible. Throughout the investigation, the district will take reasonable steps to protect the privacy of the parties and witnesses during the investigation, provided this does not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures.

The district will make a good faith effort to complete the investigation and make any findings within sixty days after the complaint, and the Title IX Coordinator will adhere to all timeframes. Reasonable extensions of timeframes will be granted on a case-by-case basis for good cause with written notice to the parties that includes the reason for the delay.

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No person can serve as a Title IX Coordinator or decisionmaker if they have a conflict or interest or bias for or against complainants or respondents generally, or an individual complainant or respondent. An alternate will be designated in the event it is claimed that an employee with responsibilities under this regulation is the one who committed the alleged discrimination. Additionally, the Title IX Coordinator may assign any or all aspects of the complaint response process to a qualified alternate for any reason, including conflict of interest, bias concerns and/or insufficient capacity due to other matters. **As used in this regulation, the term “Title IX Coordinator” refers to the compliance officer or their alternate.**

The Title IX Coordinator must offer and coordinate supportive measures, as appropriate, for both the complainant and the respondent. A complainant may request modification of supportive measures if circumstances have changed materially, or they disagree with the district’s decision to provide, deny, modify, or terminate supportive measures. Challenges of a district’s decision must be submitted to the Title IX Coordinator within ten (10) days of the decision, and an impartial employee other than the Title IX Coordinator will review the challenge.

1. Making a Complaint

A complainant, or a parent or guardian with the legal right to act on the complainant’s behalf, may file a complaint with the corresponding Title IX Coordinator. Complaints are an oral or written request that objectively can be understood as a request for the school to investigate and make a determination about alleged discrimination. If a complaint is given to a district employee, the district employee will promptly forward all information regarding the complaint to a Title IX Coordinator. Complaints must be filed within 180 days of the event giving rise to the complaint or from the date the complainant could reasonably become aware of such occurrence. The complainant will receive assistance as needed in filing a complaint.

Retaliation against the complainant, respondent, or any person who filed a complaint or participated in an investigation, is prohibited. Individuals found to have engaged in retaliatory behavior will be subject to disciplinary sanctions.

2. Evaluation and Dismissal by Title IX Coordinator

Within five (5) school days after a complaint is received, the Title IX Coordinator will determine if the alleged conduct occurred in the district’s education program or activity. If the alleged conduct is not part of the education program or activity, the complaint must be dismissed under these procedures.

At any point throughout the investigation, the Title IX Coordinator may dismiss the complaint if the respondent cannot be identified or is not participating/employed in district programs or activities or the complainant voluntarily withdraws the complaint and the Title IX coordinator declines to initiate a complaint.

Upon dismissal, the Title IX Coordinator will promptly notify the complainant as to the basis of the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, the respondent will also be notified. Additionally, the district will provide both parties with an opportunity to appeal the dismissal. Dismissals may be appealed on one of the following bases, if it would change the outcome: new evidence, procedural irregularities, or a conflict of interest.

Allegations in a dismissed complaint may constitute discrimination or harassment prohibited by Policy AC, in which case the investigation will continue under the associated regulations: AC-R-1 or AC-R-2. A dismissal does not prohibit the complainant from pursuing other remedies under state or

federal law or local board policy, nor does it prohibit the district from addressing the allegations in any manner the district deems appropriate.

If the dismissal is appealed, the district will: notify the parties of any appeal, including notice of the allegations if not already provided; implement appeal procedures equally for the parties; ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint; ensure that the decisionmaker for the appeal has been trained consistent with the Title IX regulations; provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and notify the parties of the result of the appeal and the rationale for the result.

When a complaint is dismissed, the district will offer supportive measures to the complainant and respondent, and take other prompt and effective steps to ensure that prohibited sex discrimination does not occur, including directing the parties to AC-R-1.

3. Initial Meetings with the Parties

Following this determination, the Title IX Coordinator will begin the investigation in a reasonably prompt manner and take the following steps:

- a. *Initial meeting with Reporting Party, if any, and Complainant:* The Title IX Coordinator will meet with the complainant to provide the information detailed in paragraph (c) below. If the complainant does not want to proceed with their complaint, the compliance officer may elect to proceed with the investigation if necessary to stop any harassment or discrimination and otherwise ensure the safety of the school environment.
- b. *Initial Meeting with Respondent:* As soon as possible after meeting with the complainant and any reporting party, the compliance officer will meet with the respondent and, if this individual is a student, their parents/guardians in order to obtain a response to the complaint. At the initial meeting, the compliance officer will provide the respondent written notice as to the allegations against them and give the respondent a chance to respond to those allegations.

The compliance officer may meet with the respondent to advise them of the allegations even if the compliance officer determines, after meeting with the Complainant and any reporting party, that there is no merit to the allegations.

- c. *Notice of Allegations.* At the initial meetings, the Title IX Coordinator will provide to both the complainant and respondent notice of the allegations, which includes the following information:
 - i. *Available supportive measures;*
 - ii. *Copies of Board Policy AC and this implementing regulation;*
 - iii. *Timeline for the investigation process and the district's legal obligations';*
 - iv. *Information on the informal resolution process, if offered;*
 - v. *Sufficient information regarding identities to allow parties to respond;*
 - vi. *Retaliation is prohibited;*
 - vii. *Parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or a description of the evidence; and*
 - viii. *Additional notice will be provided if the district decides to investigate additional allegations.*

If the complainant or respondent is a student with a disability, the Title IX Coordinator must consult with the student's IEP/504 Plan Team to determine supportive measures and other actions that comply with the requirements of federal law.

4. Informal Resolution

When the Title IX Coordinator deems it appropriate, an informal resolution process may be instituted with an impartial facilitator who is not the Title IX Coordinator or decision maker. Informal resolution is not appropriate in all circumstances. It may only be used if both parties must agree, with agreement voluntary, non-coerced, and documented in writing. Informal resolution is not available in cases where a district employee is alleged to have sexually harassed a student.

Prior to initiating an informal resolution process, both parties must be provided written notice explaining the allegations, the requirements of the informal resolution process, that either party has the right to withdraw from the informal resolution process, that an agreement at the conclusion of the informal resolution process would prevent the parties from initiating grievance procedures arising from the same allegations; the potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and what information the district will maintain and whether/how that information could be disclosed for use in the investigation, if informal resolution is not successful and the investigation resumes.

Generally, the informal resolution process should be completed within sixty school days from the parties' agreement to the process, unless good cause is shown.

5. Formal Complaint Grievance Process

If informal resolution is inappropriate, unavailable, or unsuccessful, the Title IX Coordinator or their qualified designee will investigate the complaint and provide a report to the decision-maker, who will determine whether discrimination occurred. Any designee must be free of bias and able to act with independence. Either party may raise a concern regarding lack of qualification or bias by contacting the Title IX Coordinator (identified in AC-E-1).

The burden is on the district - not on the parties - to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred. The Title IX Coordinator will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

- a. *Collect Evidence:* The Title IX Coordinator will collect evidence, including, but not limited to: statements by any witness to the incident and any available physical or documentary evidence; evidence about the credibility of the parties involved; evidence about whether the respondent has engaged in other incidents of misconduct; evidence of the complainant and respondent's respective reactions or changes in behavior following the incident; and evidence regarding whether the complainant took action to protest the conduct. Evidence may be collected by interviews with parties and witnesses, reviewing information, requesting written statements, or ways as appropriate.

During the investigation, the Title IX Coordinator will presume that the respondent is not responsible for the alleged sex discrimination until a determination is made (the "presumption of innocence" standard). The Title IX Coordinator may question parties and witnesses to adequately assess a party's or witness's credibility to the extent

credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination. However, the Title IX Coordinator will protect the complainant from inappropriate questions and evidence about the complainant's prior sexual history and will not make credibility determinations based on a person's status as a complainant, respondent, or witness.

The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be accessed or considered, except by the district to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

- Evidence protected under legal privilege or provided to a confidential employee, unless waived voluntarily;
- A party's or witness's records that are made or maintained by a recognized health professional or paraprofessional in connection with the provision or treatment, unless voluntary, written consent for use in the grievance procedures is obtained;
- Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless offered to prove someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment.

- b. Report:* Within 60 calendar days of the receipt of the complaint, the Title IX Coordinator must issue a report to the decision maker. The Title IX Coordinator's report must be advisory and must not bind the decision maker to any particular course of action or remedial measure.
- c. Determination:* The decision maker will determine whether discrimination or harassment occurred, by applying the preponderance of the evidence standard. In making the determination, the decision maker will consider the following:
- i. The degree to which the conduct affected the complainant's ability to access the district's education program or activity;
 - ii. The type, frequency, and duration of the conduct;
 - iii. The parties' ages, roles within the district's education program or activity, previous interactions, and other relevant factors;
 - iv. Location and context of the conduct;
 - v. Other sex-based harassment in the district's education program or activity;
 - vi. Any other relevant considerations.

The decision maker will notify the parties in writing of the determination that sex discrimination occurred under Title IX including the rationale for such determination and the procedures and permissible bases for the complainant and respondent to appeal.

6. Disciplinary Sanctions and Remedies

If there is a determination that sex discrimination occurred, the Title IX Coordinator will coordinate the provision and implementation of remedies to a complainant and other impacted individuals; coordinate any disciplinary sanctions and notify the complainant; and take other appropriate, prompt, and effective steps to ensure that sex discrimination does not continue or recur.

Disciplinary sanctions will not be imposed until the grievance procedures are completed, and parties will not be disciplined under Title IX for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred.

7. Appeal

The investigation is closed after the decision maker issues a decision, unless either party appeals the decision within 10 days by making a written request to the decision maker detailing why the decision should be reconsidered.

Grounds for appeal will be limited in accordance with applicable law, to either a: procedural irregularity that affected the outcome of the matter; new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and/or the Title IX Coordinator or decision maker had a conflict of interest or bias for or against complainants or respondents generally or the specific complainant or respondent that affected the outcome of the matter.

Both parties shall receive written notice of any appeal and both shall have the opportunity to submit written statements either in support of or challenging the written determination. The superintendent or designee shall have up to ten (10) school days to arrange for and hold a meeting with each of the parties if the party so desires. Following the meeting, the superintendent or designee shall have ten (10) school days to provide a written decision to the parties. Appeal decisions defer to the original decision, making changes to the determination only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so. The Superintendent or designee may 1) affirm the written determination; 2) overturn the written determination, or 3) send the report back for additional investigation. The Superintendent or designee's decision to affirm or overturn the report is final.

Notice and training

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

All students and district employees will receive periodic training related to recognizing and preventing sex-based harassment. District employees must receive additional periodic training related to handling reports of sex-based harassment. Title IX Coordinators, Decision Makers, Informal Resolution Facilitators, and other persons involved in the grievance procedures or with authority to modify or terminate supportive measures must receive additional periodic training specific to their role relating to handling reports of sex-based harassment as required by law.

The Title IX Coordinator must monitor the district for barriers to reporting information that may constitute sex discrimination under Title IX. Additionally, all employees who are not confidential employees must notify the Title IX Coordinator when the employee has information about conduct that may reasonably constitute sex discrimination under Title IX.

Training materials are available to the public on the district's website.

File: ACE

Nondiscrimination on the Basis of Disability

The Board is committed to a policy of nondiscrimination on the basis of disability under all applicable laws, including but not limited to Section 504 of the Rehabilitation Act of 1973 (“Section 504”) and the Americans with Disabilities Act (“ADA”). Section 504 and the ADA provide that no otherwise qualified individual with a disability shall, solely by reason of his or her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any district program or activity. The district does not unlawfully discriminate on the basis of disability in access or admission to, or treatment or employment in, its programs or activities.

The Board of Education shall designate an individual as the responsible employee to coordinate school district compliance with Section 504 and the ADA. See ACE-E-1.

The district's Section 504 and ADA compliance officer (“compliance officer”) shall be responsible for continuing surveillance of district programs and activities with regard to compliance with Section 504 and the ADA and all pertinent regulations, including the development of all necessary procedures and regulations.

The compliance officer shall annually notify students, employees and members of the public regarding the district’s policy and grievance procedures and of his/her name or title, office, address and telephone number. Notification shall be by posting and/or other means sufficient to reasonably provide such notice.

The superintendent shall notify applicants for admission, students, parent/guardians, sources of referral of applicants for admission, employees and applicants for employment, and members of the public that it does not discriminate on the basis of disability in the programs or activities which it operates and that it is required by Section 504 and the ADA not to discriminate in such a manner. The notification shall be made in the form and manner required by law or regulation. See AC-E-1.

Notice of Nondiscrimination

Fountain-Fort Carson School District 8 does not discriminate on the basis of race, color, national origin, sex, or disability in its programs or activities. A lack of English language proficiency will not be a barrier to admission and/or participation in any aspect of any academic or career and technical education programs, offered through the school district.

The following people are designated compliance officers to handle inquiries regarding the nondiscrimination policies and Title IX, and are delineated further by employee compliance officer and student compliance officer for discrimination inquiries and/or complaints related to either group:

Employee Matters:

Mr. Joel Hamilton
Assistant Superintendent of Human Resources
10665 Jimmy Camp Road
Fountain, Colorado 80817
Telephone (719) 382-1300
Email: joelhamilton@ffc8.org

Student Matters:

Dr. Montina Romero
Deputy Superintendent
10665 Jimmy Camp Road

Employees requesting reasonable accommodations should contact the Assistant Superintendent of Human Resources.

***Subject: Employment Status/Positions**

Consistent with the requirements of the Fair Labor Standards Act, each employee is designated as either nonexempt or exempt. Generally, licensed teachers, administrators, and supervisors are exempt, while classified employees are nonexempt.

Nonexempt employees are entitled to overtime pay for all hours worked over 40 in a workweek. Exempt employees are excluded from overtime compensation.

File: GBAA

GBAA – Sex-based Harassment

The district is committed to a learning and working environment that is free from sex-based harassment. Sex-based harassment is recognized as a form of sex discrimination and thus a violation of the laws which prohibit sex discrimination.

It will be a violation of policy for any member of the district staff to harass another staff member or student through conduct or communication of a sexual nature. Any conduct of a sexual nature directed toward students by teachers or others to whom this policy applies, will be presumed to be unwelcome. Sex-based harassment committed by an employee of the district in the course of employment will be deemed a breach of duty, and as such, will subject the offending employee to disciplinary action. This policy similarly applies to non-employee volunteers or any other persons who work subject to the control of school authorities.

Sex-based harassment prohibited

Pursuant to Title IX of the Educational Amendments of 1972, “sex-based harassment” means conduct on the basis of sex that satisfies one or more of the following:

1. A school employee conditioning education benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
2. Unwelcome conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person’s ability to participate in or benefit from the education program or activity; or
3. Sexual assault, dating violence, domestic violence, or stalking.

Pursuant to state law, unwelcome sexual advances, requests for sexual favors, or other unwelcome physical or verbal conduct or communication of a sexual nature constitutes sex-based harassment if the conduct or communication is subjectively offensive to the individual alleging harassment and objectively offensive to a reasonable individual who is a member of the same protected class, and if, under the totality of the circumstances:

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1. submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or educational development;
2. submission to or rejection of such conduct by an individual is used as the basis for employment or education decisions affecting such individual; or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive working or educational environment.

The prohibition against sex-based harassment applies whether the harassment is between people of the same or different gender.

Sex-based harassment as defined above may include but is not limited to:

1. Sex-oriented verbal "kidding," abuse or harassment.
2. Pressure for sexual activity.
3. Repeated remarks to a person with sexual implications.
4. Unwelcome touching, such as patting, pinching or constant brushing against another's body.
5. Suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, employment status or similar personal concerns.
6. Sexual violence.

Reporting, Investigation and Sanctions

It is the express desire of the Board to encourage victims of, or witnesses to, sex-based harassment to report such claims through the district's complaint process (AC-R-3).

Employees who feel that their superiors are conditioning promotions, increases in wages, continuation of employment, or other terms or conditions of employment upon agreement to unwelcome conduct of a sexual nature, are encouraged to report these conditions to the appropriate administrator or to the district's compliance officer.

All reports of sex-based harassment received by any district employee will be promptly forwarded to the compliance officer (AC-E-1). The compliance officer will ensure that every complaint is promptly investigated and responded to as set forth in the district's complaint and compliance process (AC-R-3). No reprisals or retaliation will be allowed to occur as a result of the good faith reporting of charges of sexual harassment or participation in an investigation. Requests for confidentiality will be honored so long as doing so does not preclude the district from responding effectively to the harassment and preventing such conduct in the future.

Any employee found to have engaged in sex-based harassment will be subject to sanctions, including, but not limited to, warning or reprimand, suspension, or termination, subject to applicable procedural requirements. Conduct of a sexual nature directed toward students will, in appropriate circumstances, be reported as child abuse for investigation by appropriate authorities in conformity with policy JLF.

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Filing of a complaint or otherwise reporting sex-based harassment will not reflect upon the individual's status or affect future employment or work assignments. All matters involving sex-based harassment complaints shall remain confidential to the extent possible.

Notice of Policy

Notice of this policy will be circulated to all district schools and departments and incorporated in employee handbooks.

The following people are designated compliance officers to handle inquiries regarding the nondiscrimination policies, and are delineated further by employee compliance officer and student compliance officer for discrimination inquiries and/or complaints related to either group:

Employee Matters Compliance Officer

Mr. Joel Hamilton

Assistant Superintendent of Human Resources

10665 Jimmy Camp Road

Fountain, Colorado 80817

Telephone: (719) 382-1300

Email: joelhamilton@ffc8.org

Student Matters Compliance Officer

Dr. Montina Romero

Deputy Superintendent

10665 Jimmy Camp Road

Fountain, Colorado 80817

Telephone: (719) 382-1300

Email: mromero@ffc8.org

Notice of policy

Notice of this policy shall be circulated to all district schools and departments and incorporated in employee handbooks.

File: GBEA

Staff Ethics/Conflict of Interest

No district employee shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his or her duties and responsibilities in the school system. Employees are expected to perform the duties of the position to which they are assigned and to observe rules of conduct and ethical principles established by state law and district policies and regulations.

It shall be understood that all confidential information an employee is privy to as a result of district employment shall be kept strictly confidential. In addition, employees shall not utilize information solely available to them through school sources to engage in any type of work outside of the school district. This includes information concerning potential customers, clients or employers.

An employee shall not sell any books, instructional supplies, musical instruments, equipment or other school supplies to any student or to the parents/guardian of a student who attends the school served by the employee unless prior approval has been obtained from the assistant superintendent for business and auxiliary services.

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Moreover, to avoid a conflict of interest, the district prohibits an employee from exercising supervisory, appointment, dismissal authority, or disciplinary action over a member of the employee's immediate family. For purposes of this policy, an employee's "immediate family" means a person who is related by blood, marriage, civil union, or adoption. In addition, an employee may not audit, verify, receive or be entrusted with moneys received or handled by a member of the employee's immediate family. An employee shall not have access to the employer's confidential information concerning a member of the employee's immediate family, including payroll and personnel records.

Employees may be required by the district, at its discretion, to limit or terminate any outside income-producing activities which interfere with the time and effort commitments required by the district or which otherwise create an actual or potential conflict of interest. Leave days may not be used to engage in outside income producing activities.

File: GBEB

Staff Conduct (And Responsibilities)

All staff members have a responsibility to make themselves familiar with and abide by federal and state laws as these affect their work, and the policies of the Board and the regulations designed to implement them.

As representatives of the district and role models for students, all staff must demonstrate and uphold high professional, ethical and moral standards. Staff members must conduct themselves in a manner that is consistent with the educational mission of the district and must maintain professional boundaries with students at all times in accordance with this policy's accompanying regulation. Interactions between staff members must be based on mutual respect and any disputes will be solved in a professional manner.

Rules of conduct

Each staff member shall observe rules of conduct established in law which specify that a school employee must not:

1. Disclose or use confidential information acquired in the course of employment to substantially further the employee's personal financial interests.
2. Accept a gift of substantial value or substantial economic benefit tantamount to a gift of substantial value which would tend to improperly influence a reasonable person in the position to depart from the faithful and impartial discharge of the staff member's duties, or which the staff member knows or should know is primarily for the purpose of a reward for action.
3. Engage in a substantial financial transaction for private business purposes with a person whom the staff member supervises.
4. Perform an action which directly and substantially confers an economic benefit tantamount to a gift of substantial value on a business or other undertaking in which the staff member has a substantial financial interest or is engaged as counsel, consultant, representative or agent.

All staff members are expected to carry out their assigned responsibilities with conscientious concern.

It is not considered a breach of conduct for a staff member to:

1. Use school facilities and equipment to communicate or correspond with constituents, family members or business associates on an occasional basis.
2. Accept or receive a benefit as an indirect consequence of transacting school district business.

Essential to the success of ongoing school operations and the instructional program are the following specific responsibilities which are required of all personnel:

1. Faithfulness and promptness in attendance at work.
2. Support and enforcement of policies of the Board and regulations of the school administration in regard to students.
3. Diligence in submitting required reports promptly at the times specified.
4. Care and protection of school property.
5. Concern and attention toward the safety and welfare of students.

Child abuse

All district employees who have reasonable cause to know or suspect that any child is subjected to abuse or to conditions that might result in abuse or neglect must immediately upon receiving such information report such fact in accordance with Board policy and state law.

The superintendent is authorized to conduct an internal investigation or to take any other necessary steps if information is received from a county department of social services or a law enforcement agency that a suspected child abuse perpetrator is a school district employee. Such information shall remain confidential except that the superintendent shall notify the Colorado Department of Education of the child abuse investigation.

Possession of deadly weapons

The Board's policy regarding public possession of deadly weapons on school property or in school buildings shall apply to district employees. However, the restrictions shall not apply to employees who are required to carry or use deadly weapons in order to perform their necessary duties and functions.

Felony/misdemeanor convictions

If, subsequent to beginning employment with the district, the district learns or has good cause to believe that any staff member has been convicted of any felony or misdemeanor other than a misdemeanor traffic offense or infraction, the district must make inquiries to the Department of Education for purposes of screening the employee.

In addition, the district must require the employee to submit a complete set of fingerprints taken by a qualified law enforcement agency or any third party approved by the Colorado Bureau of Investigation. Fingerprints must be submitted within 20 days of receipt of written notification. The fingerprints must be forwarded to the Colorado Bureau of Investigation for the purpose of conducting a state and national fingerprint-based criminal history record check utilizing the records of the

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Colorado Bureau of Investigation and the Federal Bureau of Investigation. When the results of the fingerprint-based criminal history record check reveal a record of arrest without a disposition, the district must require the employee to submit to a name-based criminal history record check. Criminal history record information must be used solely for the purpose requested and cannot be disseminated outside the receiving departments, related agencies, or other authorized entities.

Disciplinary action, which could include dismissal from employment, may be taken against personnel if the results of fingerprint processing provide relevant information. Non-licensed employees shall be terminated if the results of the fingerprint-based criminal history record check disclose a conviction for certain felonies, as provided in the law.

Employees shall not be charged fees for processing fingerprints under these circumstances.

Unlawful behavior involving children

The district may make an inquiry with the Department of Education concerning whether any current employee of the school district has been convicted of, pled nolo contendere to, or received a deferred sentence for a felony or misdemeanor crime involving unlawful sexual behavior, an allegation of a sexual act involving a student who is 18 years of age or older, regardless of whether the student consented to the sexual act, or unlawful behavior involving children. Disciplinary action, including termination, may be taken if the inquiry discloses information relevant to the employee's fitness for employment.

Notification concerning arrests

District employees shall notify the district when they are arrested for specific criminal offenses, in accordance with this policy's accompanying regulation.

The district shall notify students' parents/guardians when district employees are charged with specific criminal offenses, as required by state law and in accordance with applicable Board policy.

Personnel addressing health care treatment 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 and obtaining prior written permission from the student or from the student's parent/guardian. See the Board's policy concerning survey, assessment, analysis or evaluation of students. 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.

File: GBEB A

Staff Dress Code

All district employees project an image to the community and to students about the professionalism of the district. During the workday and at all work-related activities, employees shall adhere to a professional standard of dress and shall be neat and clean in appearance. Examples of professional attire include, but are not limited to, collared shirts, dress slacks, ties, dresses and coordinated separates.

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Principals and other administrative supervisors are delegated the authority and bear the responsibility for ensuring compliance with this policy and are expected to counsel and/or discipline employees whom they supervise on professional appearance in conformance with this policy.

Unacceptable items

The following items are deemed disruptive to the classroom environment or to the maintenance of a safe and orderly school and are not acceptable in school buildings, on school grounds, or at school activities:

1. Dresses, skirts or other similar clothing shorter than just above the knee
2. Sunglasses and/or hats worn inside the building
3. Inappropriately sheer, tight or low-cut clothing (e.g., midriffs, halter tops, backless clothing, tube tops, mesh or similar material, tank tops, etc.) that bare or expose traditionally private parts of the body including, but not limited to, the stomach, buttocks, back and breasts
4. Sweatpants, spandex, jeans or shorts
5. No flip-flops (rubber sandals)
6. Any clothing, paraphernalia, grooming, jewelry, hair coloring, accessories, or body adornments that are or contain any advertisement, symbols, words, slogans, patches, or pictures that:
 - Refer to drugs, tobacco, alcohol, or weapons
 - Are of a sexual nature
 - By virtue of color, arrangement, trademark, or other attribute denote membership in gangs which advocate drug use, violence, or disruptive behavior
 - Are obscene, profane, vulgar, lewd, or legally libelous
 - Threaten the safety or welfare of any person
 - Promote any activity prohibited by the student code of conduct
 - Otherwise disrupt the teaching-learning process

Exceptions

Appropriate athletic clothing may be worn when teaching or assisting with physical education classes, or when coaching athletic activities.

A principal/supervisor may designate days when spirit clothing and casual dress may be worn. This philosophy applies to school buildings and central office support staff, not to the support departments in which denim pants are appropriate for the work they need to accomplish, i.e., support services, transportation, technology, nutrition services, etc.

A principal or administrative supervisor may make exceptions to this policy to meet the needs of his or her specific division, school, or work site.

File: GBEB-R

Professional Boundaries with Students

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

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

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

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

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

Reporting violations and disciplinary action

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

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

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

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

File: GBEC

Alcohol and Drug-Free Workplace

The Board recognizes the importance of maintaining a workplace that is free from alcohol and drugs to enhance the safety and welfare of employees and students and ensure compliance with applicable law. Accordingly, it shall be a violation of Board policy for any district employee to possess, use or be under the influence of alcohol or illicit drugs on district property, in or on district vehicles, at any school-sponsored or district-sponsored activity or event, or off district property when the employee is on duty.

For purposes of this policy, "illicit drugs" means narcotics, drugs and controlled substances as defined in law. Although some actions involving marijuana are no longer prohibited by state law, federal law still prohibits the manufacture, sale, distribution, possession and use of marijuana. As a recipient of federal funds, the district has an obligation to maintain a drug-free workplace. Thus, marijuana is an illicit drug for purposes of this policy. "Illicit drugs" also includes any prescription or over-the-counter drug that does not meet the following four criteria: (1) the employee has a current and valid prescription for the drug or the drug is sold over-the-counter; (2) the drug is used or possessed for the purpose for which it was prescribed or sold over-the-counter; (3) the drug is used or possessed at the dosage prescribed or recommended; and (4) the drug is used or possessed consistent with the safe and efficient performance of the employee's job duties.

Observance of this policy is a condition of employment. A violation shall subject the employee to appropriate disciplinary action which may include suspension, termination and referral for prosecution. In appropriate circumstances and at the district's sole discretion, disciplinary sanctions may include the completion of an approved drug or alcohol abuse assistance or rehabilitation program. Any such program shall be at the employee's expense. However, the district is not required to offer rehabilitation in lieu of termination or other discipline to any employee who has violated this policy.

After investigation, the superintendent may reinstate an employee who has been suspended if it appears to be in the best interests of the district. The matter shall be reported to the Board of Education.

Pursuant to law, any employee who is convicted or pleads *nolo contendere* under any criminal drug statute for a violation occurring in the workplace shall notify the superintendent no later than five days after the conviction. The district has an obligation under federal law to notify the appropriate federal agency within 10 days after receiving notice of such conviction if there is a relationship between federal funds received by the district and the convicted employee's work site.

Drug-Free Workplace Act

Under the federal Drug-Free Workplace Act (the Act), the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in any district workplace. The Act defines "controlled substance" as a controlled substance on schedules I through IV of 21 U.S.C.

section 812, which includes but is not limited to marijuana, cocaine, opiates, phencyclidine (PCP) and amphetamines (including methamphetamine).

Pursuant to the Act, any employee who is convicted or pleases nolo contendere under any criminal drug statute for a violation occurring in the workplace shall notify the superintendent no later than five days after the conviction. The district has an obligation under the Act to notify the appropriate federal agency within 10 days after receiving notice of such conviction if there is a relationship between federal funds received by the district and the convicted employee's work site.

Awareness and prevention program

The superintendent or designee shall establish an awareness and prevention program to inform employees about:

1. The Board's policy of maintaining an alcohol and drug-free workplace.
2. Available drug and alcohol counseling, rehabilitation and employee assistance programs.
3. Penalties that may be imposed upon employees for violations of this policy.

The Board shall conduct a periodic review of its awareness and prevention program to determine its effectiveness and implement appropriate changes.

Notification to employees

Information about the standards of conduct required by this policy shall be communicated to employees. All employees shall acknowledge receipt of this policy and related information.

File:ADC

Tobacco-Free Schools

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

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

For purposes of this policy, the following definitions apply:

1. "School property" means all property owned, leased, rented or otherwise used or contracted for by a school including but not limited to the following:
 - a. All indoor facilities and interior portions of any building or other structure used for students or children under the age of 21 for instruction, educational or library services, routine health care, daycare, or early childhood development services, as well as for administration, support services, maintenance, or residences, i.e., teacherages.
 - b. All school grounds over which the school exercises control including areas surrounding any building, playgrounds, athletic fields, recreation areas, and parking areas.
 - c. All vehicles used by the district for transporting students, staff, visitors or other persons.
 - d. At a school-sanctioned activity or event.
2. "Tobacco product" means:

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- a. Any product that contains nicotine or tobacco or is derived from tobacco and is intended to be ingested or inhaled by or applied to the skin of an individual, including but not limited to cigarettes, cigars, pipe tobacco, snuff, chewing tobacco, or liquid nicotine/e-liquids; and
 - b. Any electronic device that can be used to deliver nicotine to the person inhaling from the device, including but not limited to an electronic cigarette, vaporizer, cigar, cigarillo, or pipe.
 - c. “Tobacco product” does not include any product that has been approved by the appropriate federal agency as a tobacco use cessation product.
3. “Use” means lighting, chewing, smoking, inhaling, vaporizing, ingesting, inhaling, vaping, or application of any tobacco or nicotine product.

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

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

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

File: GBEE

Staff Use of Internet and Electronic Communications

The Internet and electronic communications (email, chat rooms and other forms of electronic communication) have vast potential to support curriculum and learning. The Board of Education believes they should be used in schools as a learning resource to educate and to inform.

The Board of Education supports the use of the Internet and electronic communications by staff to improve teaching and learning through interpersonal communication, access to information, research, training and collaboration and dissemination of successful educational practices, methods and materials.

The Internet and electronic communications are fluid environments in which users may access materials and information from many sources. Staff members shall take responsibility for their own use of district computers and computer systems to avoid contact with material or information that violates this policy.

Blocking or filtering obscene, pornographic and harmful information

To protect students from material and information that is obscene, child pornography or otherwise harmful to minors, as defined by the district, software that blocks or filters such material and information has been installed on the district’s Internet file server and all district hardware that allows for access to the Internet by a minor. Blocking or filtering software may be disabled by a supervising teacher or school administrator, as necessary, for the purpose of bona fide research or other educational projects being conducted by staff members over the age of 18.

No expectation of privacy

District computers and computer systems are owned by the district and are intended for educational purposes and district business at all times. Staff members shall have no expectation of privacy when using the Internet or electronic communications. The district reserves the right to monitor, inspect, copy, review and store (at any time and without prior notice) all usage of district computers and computer systems, including all Internet and electronic communications access and transmission/receipt of materials and information. All material and information accessed/received through district computers and computer systems shall remain the property of the school district.

Public records

Electronic communications sent and received by district employees may be considered a public record subject to public disclosure or inspection under the Colorado Open Records Act. All employee electronic communications shall be monitored to ensure that all public electronic communication records are retained, archived and destroyed in accordance with applicable law.

Unauthorized and unacceptable uses

Staff members shall use district computers and computer systems in a responsible, efficient, ethical and legal manner.

Because technology and ways of using technology are constantly evolving, every unacceptable use of district computers and computers systems cannot be specifically described in policy. Therefore, examples of unacceptable uses include, but are not limited to, the following.

No staff member shall access, create, transmit, retransmit or forward material or information:

- that promotes violence or advocates destruction of property including, but not limited to, access to information concerning the manufacturing or purchasing of destructive devices or weapons
- that is not related to district education objectives
- that contains pornographic, obscene or other sexually oriented materials, either as pictures or writings, that are intended to stimulate erotic feelings or appeal to prurient interests in nudity, sex or excretion
- that harasses, threatens, demands, or promotes violence or hatred against another person or group of persons with regard to race, color, creed, sex, sexual orientation, religion, national origin, ancestry, age, marital status, or disability
- for personal profit, financial gain, advertising, commercial transaction or political purposes
- that plagiarizes the work of another
- that uses inappropriate or profane language likely to be offensive to others in the school community
- that is knowingly false or could be construed as intending to purposely damage another person's reputation
- in violation of any federal or state law, including but not limited to copyrighted material and material protected by trade secret
- that contains information protected by confidentiality laws
- using another individual's Internet or electronic communications account without written permission from that individual
- that impersonates another or transmits through an anonymous remailer
- that accesses fee services without specific permission from the system administrator

- that accesses/uses social networking sites

Security

Security on district computer systems is a high priority. Staff members who identify a security problem while using the Internet or electronic communications must immediately notify a system administrator. Staff members should not demonstrate the problem to other users. Logging on to the Internet or electronic communications as a system administrator is prohibited.

Staff members shall not:

- use another person's password or any other identifier
- gain or attempt to gain unauthorized access to district computers or computers systems
- read, alter, delete or copy, or attempt to do so, electronic communications of other system users

Any staff member identified as a security risk, or as having a history of problems with other computer systems, may be denied access to the Internet and electronic communications.

Confidentiality

Staff members shall not access, transmit or retransmit material regarding students, parents/guardians, district employees or district affairs that is protected by confidentiality laws unless such access, receipt or transmittal is in accordance with their assigned job responsibilities, applicable law and district policy. If material is not legally protected but is of a confidential or sensitive nature, great care shall be taken to ensure that only those with a "need to know" are allowed access to the material. Staff members shall handle all employee, student and district records in accordance with policies GBJ (Personnel Records and Files), JRA/JRC (Student Records/Release of Information on Students), and EGAEA (Electronic Communication).

Disclosure of confidential student records, including disclosure via electronic mail or other telecommunication systems, is governed by state and federal law, including the Family Educational Rights and Privacy Act (FERPA). (See policy JRA/JRC, Student Records/Release of Information on Students for detailed information on student records).

It is imperative that staff members who share confidential student information via electronic communications understand the correct use of the technology, so that confidential records are not inadvertently sent or forwarded to the wrong party. Staff members who use email to disclose student records or other confidential student information in a manner inconsistent with applicable law and district policy may be subject to disciplinary action.

Use of social media

At this time, the district does not permit use of social networking websites, such as Facebook, Twitter and LinkedIn, for district business. Staff and students are advised not to use these sites for district purposes and not to access these websites with district technology devices.

Staff members are discouraged from communicating with students through personal social media platforms/applications or texting. Staff members are expected to protect the health, safety, and emotional well-being of students and to preserve the integrity of the learning environment. Online or electronic conduct that distracts or disrupts the learning environment or other conduct in violation of this or related district policies may form the basis for disciplinary action up to and including termination.

Vandalism

Vandalism will result in cancellation of privileges and may result in school disciplinary action and/or legal action. Vandalism is defined as any malicious or intentional attempt to harm, destroy, modify, abuse, or disrupt operation of any network within the school district or any network connected to the Internet, operation of any form of electronic communications, the data contained on any network or electronic communications, the data of another user, usage by another user, or district-owned software or hardware. This includes but is not limited to, the uploading or creation of computer viruses and the use of encryption software.

Unauthorized software

Staff members are prohibited from using or possessing any software that has been downloaded or is otherwise in the user's possession without appropriate registration and payment of any fees owed to the software owner.

Staff member use is a privilege

Use of the Internet and electronic communications demands personal responsibility and an understanding of the acceptable and unacceptable uses of such tools. Staff member use of the Internet and electronic communications is a privilege, not a right. Failure to follow the use procedures contained in this policy will result in the loss of the privilege to use these tools and restitution for costs associated with damages, and may result in school disciplinary action and/or legal action. The school district may deny, revoke or suspend access to district technology or close accounts at any time.

Staff members shall be required to sign the district's Acceptable Use Agreement annually before Internet or electronic communications accounts shall be issued or access shall be allowed.

School district makes no warranties

The school district makes no warranties of any kind, whether expressed or implied, related to the use of district computers and computer systems, including access to the Internet and electronic communications services. Providing access to these services does not imply endorsement by the district of the content, nor does the district make any guarantee as to the accuracy or quality of information received. The school district shall not be responsible for any damages, losses or costs a staff member suffers in using the Internet and electronic communications. This includes loss of data and service interruptions. Use of any information obtained via the Internet and electronic communications is at the staff member's own risk.

Fountain-Fort Carson School District 8 *Acceptable Use Policy (AUP)

Introduction

The purpose of the District's Acceptable Use Policy (AUP) is to make clear the expectations and appropriate use of District technology devices and systems, prevent unauthorized access and other unlawful activities by users online, prevent unauthorized disclosure of or access to sensitive information, and to comply with the Children's Internet Protection Act ("CIPA"). A "user" includes any staff who uses computers, cell phones, the district network, email, and all other forms of electronic communications or equipment provided by the District. This policy also includes any outside equipment that uses the district network.

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The District may maintain official profiles on social networking sites of its choosing, which can be monitored and managed by District Communications staff, in collaboration with school and department designees. These accounts shall be maintained to communicate about District and school news, issues and parent/public engagement.

Staff-Student Communications

Staff shall only communicate with students regarding classwork or extracurricular information using pre-approved, authorized District communication tools. Staff members are expected to protect the health, safety and emotional well-being of students and to preserve the integrity of the learning environment. Staff members are expected to serve as positive role models and must represent the school and District professionally when engaging in online activity, communications, or conversations.

Internet Filtering, Use of Applications

The District will use technological protection measures to block or filter, to the extent possible, access to materials that are obscene, pornographic, and harmful to minors over the network. The District reserves the right to monitor users' online activities and email communications, and to access, review, copy, and store or delete any electronic communication or files and disclose them to others as it deems necessary without the consent of the user. Users shall have no expectation of privacy regarding their use of District technology resources including cell phones, computers and laptops, email communication, network and/or Internet access. Email messages created and transmitted via the District email system and/or network remain the property of the District.

Data Privacy

Data privacy refers to the protection of an individual's or organization's sensitive and personally identifiable information (PII) from unauthorized access, use, disclosure, or alteration. It involves ensuring that data is managed in a way that respects the privacy rights and expectations of individuals, preventing a data breach or misuse of data.

Employees shall follow these practices to help protect PII:

- Only use applications that do not collect PII unless approved by the district.
- Only ask students to use district approved applications.
- Do not submit PII to any applications unless approved by the district (i.e., apps, websites, artificial intelligence (A.I)).
- Safeguard physical records and electronic devices; log out of devices when not in use.
- Be cautious with email communication; do not open suspicious attachments or links.
- Use strong passwords and protect login information from unauthorized use.
- Delete files that contain PII from your devices when no longer needed.
- Do not send PII, especially sensitive personal data, via email.
- Do not store PII on personally owned devices.
- Do not take PII with you when no longer employed by the District.

District staff provide access to online services with educational partners/companies for the purpose of advancing the educational mission of the District. An approved list of educational partners who possess safe student data privacy policies in compliance with the Colorado "Student Data Transparency and Security Act HB 16-1423" can be found on the District website. Providing access to online services may require the creation of student accounts for access to educational content, resources, interactive features, authoring and or publishing capabilities provided by the online service.

Websites and apps are reviewed by the District to ensure they comply with the following student data privacy requirements:

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- what data is collected
- educational purpose for which data is collected
- how data is used
- will not sell/share student data
- will not engage in targeted marketing practices

Unacceptable Uses of the District's Network, Resources, or Online Services

The following are examples of inappropriate use of the District network, technology resources, Internet, email or Online Services.

- Using your district email address to create online accounts that are not work-related (i.e., personal social media, streaming services, forums, gaming sites, or accounts used to purchase items)
- Violation of any state or federal law or municipal ordinance, such as: accessing or transmitting pornography of any kind, obscene depictions, harmful materials, materials that encourage others to violate the law, confidential information or copyrighted materials.
- Criminal activities that can be punished under law.
- Selling or purchasing illegal items or substances.
- Causing harm to others or damage to their property, such as:
 - Using profane, abusive, or impolite language; threatening, harassing, or making damaging or false statements about others or accessing, transmitting, or downloading offensive, harassing, or disparaging materials;
 - Deleting, copying, modifying, or forging other users' names, emails, files, or data; disguising one's identity, impersonating other users, or sending anonymous email;
 - Damaging computer equipment, files, data or the network in any way, including intentionally accessing, transmitting or downloading computer viruses or other harmful files or programs, or disrupting any computer system performance;
 - Using any device to pursue "hacking," internal or external to the District, or attempting to access information protected by privacy laws; or
- Engaging in uses that jeopardize access or lead to unauthorized access into others' accounts or other computer networks, such as:
 - Using another's account password(s) or identifier(s);
 - Interfering with other users' ability to access their account(s); or
 - Disclosing anyone's password to others or allowing them to use another's account(s).
- Using the network or Internet for commercial purposes such as:
 - Personal financial gain;
 - Personal advertising, promotion, or financial gain; or
 - Conducting for-profit business activities and/or engaging in non-government related fundraising or public relations activities such as solicitation for religious purposes, lobbying for personal political purposes.

Penalties for Improper Use

Misuse may result in immediate restriction or cancellation of accounts and may also lead to disciplinary and/or legal action, including administrative leave, dismissal from District employment, and/or criminal prosecution.

Maintenance, Repair, and Custody of District Devices

Employees with District-issued devices are required to follow listed guidelines regarding proper repair, use, and custody of devices:

- Any damage must be promptly reported and scheduled for repair.
- All repairs shall be completed by the Technology Department.

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- If damage occurs due to carelessness, user may be billed for the cost of the parts and/or device.
- General cleaning and care of the laptop is the responsibility of the user.
- Devices must not be left unsecured or unattended, including inside vehicles.

Storage of Files and Software

- The District is not responsible for lost files and/or data on computers or stored online. Users are encouraged to maintain separate backups of important data (Microsoft 365 or Google Drive are recommended).
- Personal software is not to be loaded onto the laptop at any time.

Lost or Stolen Equipment

A police report must be filed within 24 hours of the incident and a copy of the report shall be provided to the District.

Disclaimer

The District makes no guarantees about the quality of services provided and is not responsible for any claims, losses, damages, costs, or other obligations arising from use of the network or accounts. Any additional charges a user accrues due to the use of the network are to be borne by the user. The District also denies any responsibility for the accuracy or quality of the information obtained through user access. Any statement accessible on the computer network or Internet is understood to be the author's individual point of view and not that of the District, its affiliates, or employees.

Laws and District Policies Regarding the Use of Technology

Copyright Laws for Teachers

Understanding copyright is very important for teachers since they are constantly faced with opportunities to uphold or violate copyright law. **Teachers could face serious legal consequences, as well as termination if they do not adhere to copyright laws.**

Most Common Violation:

Teachers cannot scan/create digital copies of copyrighted materials such as worksheets, documents, entire books, or chapters to upload or publish to their class website for student accessibility.

Technology Purchases and/or Initiatives

The technologically advanced world we live in today provides access to millions of software and web-based resources. Please follow the guideline below when seeking to purchase or implement any technology, software, or online educational services:

Before a purchase is made, acquire the approval and support from your building administrator. Please do not spend your hard-earned money only to find out that the technology or software you purchased is not supported. Consider the following criteria before seeking approval:

1. Does it align with school/district goals and objectives?
2. Does it align with district curriculum?
3. Does it align with Common Core and Colorado Academic Standards?
4. Is the technology compatible with the district technology?

After approval from your building administrator, technology purchases must be:

1. District approved (Your building administrator will complete this step.)
2. Purchased with district funds
3. Accompanied with proof of purchase and documentation when submitted to the district technology services center for implementation

This process helps ensure the integrity of the district's legal compliance with all copyright laws.

Free Online Educational Services

It is particularly important that teachers and staff not bypass the district approval process when deciding to use free online educational services as well. To ensure that privacy and security concerns relating to these free services are adequately considered, staff must go through the same approval process as paid educational services.

By following the approval process, you will not only make sure it is legal, but you will also enable District's IT personnel to assist with successful implementation.

Data Privacy & Your Responsibility

Schools, districts and educators have a great responsibility required by law to protect and secure all student data. Parents and guardians want assurances that personal information and data about their child/children are secure and protected by our school system. Parent concerns are rising as we use the internet, mobile apps, cloud computing, online learning and new technologies to deliver exciting new education services.

The following guidelines are offered to assist staff in complying with the confidentiality requirements concerning student education records under the Family Educational Rights and Privacy Act (FERPA) and the Colorado Public Records Act.

Confidentiality guidelines to be followed:

1. Staff CANNOT disclose education records to other school district employees who do not have a legitimate educational interest in the education records for purposes of carrying out their authorized duties, as determined by the school district.
2. Staff CANNOT disclose education records to college-level students, consultants, or authorized community volunteers* who do not have a legitimate educational interest in the education records for purposes of carrying out their authorized duties, as determined by the school district.
3. Staff CANNOT disclose education records (including student addresses and/or telephone numbers) to persons who are not school district employees, college-level students, or authorized community volunteers* unless permitted to do so by the building principal.
4. Staff CANNOT disclose education records (including student addresses and/or telephone numbers) to other students.
5. Staff CANNOT post students' final grades or grade point averages, including giving access to the teacher's grade book.

Do not create online accounts for your students without administrator and district approval.

If a teacher, administrator or other employee of the school system clicks through a Terms of Service Agreement (often referred to as "click-wrap" agreements) without reading it to gain access to technological tools, his/her actions can bind the school system to terms that don't align with security

protocols and policies, and can put the school system at legal risk if the provider's practices fail to comply with privacy laws that apply.

File: GBGB

Staff Personal Security and Safety

Offenses against school employees

The following procedures shall be followed in instances of assault, disorderly conduct, harassment, knowingly making a false allegation of child abuse, or any alleged offense under the "Colorado Criminal Code" by a student directed towards a teacher or school employee.

These same procedures shall be followed in instances of damage by a student to the personal property of a teacher or school employee occurring on school district premises.

1. The teacher or employee shall file a written complaint with the building principal and the superintendent's office.
2. The principal, after receipt of both the complaint and adequate proof of the charges, shall suspend the student for three days in accordance with established procedures.
3. The superintendent shall initiate procedures for the further suspension or expulsion of the student when injury or property damage has occurred.
4. The superintendent or designee shall report the incident to the district attorney or the appropriate local law enforcement agency or officer who shall then investigate the incident to determine the appropriateness of filing criminal charges or initiating delinquency proceedings.
5. A copy of this policy shall be distributed to each student and posted in each school building.

Communication of disciplinary information to teachers/counselors

The principal or designee shall communicate discipline information concerning any student enrolled in the district to all teachers and counselors who have direct contact with that student. Any teacher or counselor who is assigned a student with known serious behavior problems will be informed of the student's behavior record. Any school employee who is provided this information shall maintain its confidentiality and shall not communicate it to any other person.

File: JLCE

First Aid and Emergency Medical Care

Treatment of injuries other than first aid is prohibited in all district schools. First aid is immediate help given by the best qualified person at hand in case of accident or sudden illness.

During the school day and during school sponsored events, including those off-site, at least one staff member must be on duty who has a current certification from a nationally recognized course in standard first aid and CPR. First aid kits shall be stored and properly maintained in each school in accordance with applicable school health rules.

The district's comprehensive program shall include first aid, CPR and AED training. Designated staff members shall be required to possess a valid first aid, CPR and AED card (see JLCE-R).

Any person who in good faith provides emergency care or assistance without compensation at the place of the emergency or accident will not be liable for any civil damages for acts or omissions in good faith. State law also exempts from civil liability certain health care providers who render emergency assistance in good faith and without compensation to persons injured in a competitive sport activity.

Treatment of injuries occurring outside school jurisdiction is not the responsibility of school employees.

The school's obligation continues after the injury until the injured student has been placed in the care of the parent/guardian or emergency health personnel. Therefore, the parents/guardians of all students will be asked to sign and submit an emergency medical authorization form which indicates the procedure they wish the school to follow in the event of a medical emergency involving their child. In all cases where the nature of an illness or an injury appears serious, the parent/guardian will be contacted if possible and the instructions on the student's emergency card followed. In extreme emergencies, where there is potential threat to life, limb or digit, school personnel will immediately call emergency health personnel to arrange for transporting the student to an emergency facility on advice of emergency health personnel.

Elementary students who are ill or injured will not be sent home alone, and secondary students who are ill or injured will not be sent home alone unless the illness is minor and the parent/guardian has consented in advance.

File: GBGD

Workers' Compensation

An employee is eligible for workers' compensation from the district during the period an employee is temporarily disabled as the result of any injury arising out of and in the course of employment which qualifies for an indemnity payment from the workers' compensation division of the Colorado Department of Labor and Employment.

Workers' compensation time shall be available only to those persons who sustain a temporary ~~total~~ disability and are unable to perform services for the district while disabled.

The sole source of compensation for an employee on workers' compensation leave shall be the indemnity payment from the workers' compensation division of the Colorado Department of Labor and Employment or insurance carrier as determined by state law. The employee shall not be permitted to use accrued school district sick leave or vacation time to supplement indemnity payments during the employee's workers' compensation leave.

While on workers' compensation leave under a temporary total disability, employees shall continue to have school district health, life and disability insurance coverage, to the same extent the employee had such coverage prior to taking workers' compensation leave, for a period of time not to exceed 6 months. At such time, the employee shall be given the option of directly assuming payment of the district's costs for such benefits or discontinuing the coverage until returning to work and again being eligible for benefits, unless the district is otherwise required to continue such coverage under applicable law.

An employee on workers' compensation leave does not prevent the district from terminating or taking other employment action for a legitimate reason in accordance with state and federal law.

The administration is directed to establish necessary procedures to implement this policy.

***Safety Information - Stay Safe in D8**

- Follow all safety rules and/or procedures that are specific to your work area
- Report ALL potential safety hazards promptly to your Safety Representative or Building Principal or Department Leader
- Report ALL accidents to the Building Principal or Department Leader and get first aid treatment immediately. Complete Workers' Compensation Paperwork

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- PERSONAL PROTECTIVE EQUIPMENT (PPE)
 - Protective Eye Protection
 - Wear appropriate glasses (goggles) as task demands
 - Protective Ear Protection
 - Wear ear plugs when using loud tools, equipment. If you have to shout to be heard, you need plugs
 - Hands
 - Wear gloves as listed in standard operating procedures or first aid application
 - Wear work gloves when working with heavy equipment (lawn mowers, power washers, etc.)
 - Do not wear jewelry that may cause injury
 - Wear Bite Guards/Sleeves when working with students that are prone to biting and scratching
- Clothing and Shoes
 - Observe common sense rules
 - Do not wear clothing (including jewelry) that can get caught in machinery or be grabbed and or pulled off by children , or while performing activities that may cause injury
 - Shoes that are job appropriate and season appropriate
 - In icy conditions, walk like a penguin and be on the lookout for wet, slippery, spots.
 - Notify your staff if you are aware of a slipping, tripping hazard to help prevent falls.
 - Use slip guards (Tracks) if available at your location during winter and icy weather conditions
- LIFTING - REACHING - PUSHING
 - Whenever lifting anything always use proper lifting techniques- Know your limits!
 - Do not lift more than can be picked up safely
 - Use your legs, keep your back straight and keep object close to your body
 - Do not twist
 - Use appropriate apparatus if there is a need to lift above shoulder height
 - Whenever it is necessary to reach areas that cannot be reached while standing on the floor, always use the proper equipment, i.e., stepladders or step stools instead of chairs, tables, or boxes, etc.
 - Make sure that ladders are not damaged
 - Ladder is fully opened and all feet are on the ground
 - Do not climb above recommended rung
 - Always face the ladder when ascending or descending and while performing task
 - Do not use metal ladders if there is a hazard of electrical contact
 - When moving equipment always PUSH rather than pull whenever possible
- HOUSEKEEPING
 - Remove all tripping hazards (cords, boxes, etc.)
 - Keep access to all exits open (Fire Code)
 - Clean up or indicate all spills
 - Store material in a manner that will prevent falling

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- Paper cutters must have blade retainers in the down or locked position when not in use
- Always use caution when using electrical cords, tools or equipment
- Always use items for their intended purpose
- Inspect tools, equipment, cords and machinery for defects before using
- If you see something that is unsafe, say something!
- FIRE EXTINGUISHERS
 - Know the location and appropriate usage of fire extinguishers in your work area
- EQUIPMENT
 - Lawnmowers, snowplows, tractors, or other large equipment should not be in use when children are outside on the playground
- MSDS (Material Safety Data Sheets)
 - MSDS are kept in the main office of your site. To become familiar with substances you are working with, you may get a copy. Always follow the safety, handling and first aid instructions found in the MSDS and labels

AESOP Absence Management System

AESOP is FFC8's attendance tracking and substitute (Guest) calling system. All employees are responsible for reporting their absences in the AESOP system, even if the employee does not require a substitute. The time documented in AESOP should be the same as the time away from work for the employee, NOT necessarily the same time that a substitute is hired to fill a job.

AESOP LINKS:

Go to www.ffc8.org / click on Staff > Human Resources > Leave > Absence Management Employee Training Videos

Responsibilities of each employee:

- Certified Staff:
 - Enter all absences in the AESOP system
 - Make sure that your absence times match the absence times in AESOP; If the absence times do not match, have the building level attendance secretary adjust the times in AESOP if the system does not allow you to modify your own absence.
- Classified Staff:
 - Make sure the absence times on each timecard match the absence times in AESOP
 - Write the AESOP Job ID confirmation on your timecard.

Children at Place of Work

Our primary function is the education of our students. Staff members should make daycare arrangements for their own children for before and after school or regularly scheduled activities, such as parent/teacher conferences. Staff members' children should not regularly be in their parents' classroom or office, particularly when staff are responsible for supervising students. This is a disruption to our primary function and is often perceived as preferential treatment of staff members' children by the general population. Staff must communicate in advance to their leader if this situation should arise.

Personnel Records and Files

The superintendent is authorized and directed to develop and implement a comprehensive and efficient system of personnel records under the following guidelines:

1. A personnel folder for each employee, licensed and classified, shall be accurately maintained in the district administrative office. Personnel records shall include home addresses and telephone numbers, financial information, and other information maintained because of the employer-employee relationship.
2. All personnel records of individual employees shall be considered confidential except for the information listed below. Personnel records shall not be open for public inspection. The superintendent and designees shall take the necessary steps to safeguard against unauthorized access or use of all confidential material.
3. Employees shall have the right, upon request, to review the contents of their own personnel files, with the exception of references and recommendations provided to the district on a confidential basis by universities, colleges or persons not connected with the district.
4. The following information in personnel records and files shall be available for public inspection:
 - a. Applications of past or current employees
 - b. Employment agreements
 - c. Any amount paid or benefit provided incident to termination of employment
 - d. Performance ratings except for teacher evaluations as noted below
 - e. Any compensation including expense allowances and benefits
5. The evaluation report of licensed personnel and all public records used in preparing the evaluation report shall be confidential and available only to those permitted access under state law. Portions of the superintendent's evaluation shall be open to public inspection, in accordance with state law.
6. District employees' home addresses and telephone numbers shall not be released for general public or commercial use.
7. District employees' medical records shall be kept in separate files and shall be kept confidential in accordance with applicable law and Board policy.

File: GBK

Staff Concerns/Complaints/Grievances

It is the Board's desire that procedures for settling differences provide for prompt and equitable resolution at the lowest possible administrative level and that each employee be assured an opportunity for orderly presentation and review of complaints without fear of reprisal.

A "grievance" is defined in accordance with the regulations that accompany this policy.

Nothing in this policy shall be construed to imply in any manner the establishment of personal rights not explicitly established by statute or Board policy. Neither shall anything in this policy be construed

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to establish any condition prerequisite relative to nonrenewal of contracts, transfer, assignment, dismissal or any other employment decision relating to school personnel.

All employment decisions remain within the sole and continuing discretion of the administration and/or Board of Education, as appropriate, subject only to the conditions and limitations prescribed by Colorado law.

For all complaints related to nondiscrimination or equal opportunity see Board Policy AC an AC-R.

The following people are designated compliance officers to handle inquiries regarding staff concerns, complaints, and grievances and are delineated further by employee compliance officer and student compliance officer for complaints related to either group:

Employee Matters Compliance Officer

Mr. Joel Hamilton

Assistant Superintendent of Human Resources

10665 Jimmy Camp Road

Fountain, Colorado 80817

Telephone: (719) 382-1300

Email: joelhamilton@ffc8.org

Student Matters Compliance Officer

Dr. Montina Romero

Deputy Superintendent

10665 Jimmy Camp Road

Fountain, Colorado 80817

Telephone: (719) 382-1300

Email: mromero@ffc8.org

File: GCQF-R

Discipline, Suspension, and Dismissal of Professional Staff (Mandatory Reporting Requirements)

The following procedures apply to the reporting of allegations against or offenses committed by licensed personnel who face a dismissal action or are dismissed by the district.

Mandatory reporting requirements – unlawful behavior involving a child

If an employee is dismissed as a result of an allegation of unlawful behavior involving a child, including unlawful sexual behavior, or an allegation of a sexual act involving a student who is 18 years of age or older, regardless of whether the student consented to the sexual act, which is supported by a preponderance of evidence, the superintendent or designee must notify the Colorado Department of Education (CDE) as soon as possible but no later than 10 business days after the employee's dismissal.

The superintendent or designee must provide any information requested by the department concerning the circumstances of the dismissal. The district also must notify the employee that information concerning the dismissal is being forwarded to CDE.

If the district learns that a current or past employee has been convicted of, pled nolo contendere to, or received a deferred sentence or deferred prosecution for a felony or a misdemeanor crime involving

unlawful sexual behavior or unlawful behavior involving children, the superintendent or designee must notify CDE.

Mandatory reporting requirements – other offenses

In addition, and in accordance with applicable State Board of Education rules, the superintendent or designee must immediately notify CDE when a dismissal action concerning a licensed employee is based upon the employee's conviction, guilty plea, plea of nolo contendere, or deferred sentence for any of the following offenses:

- a. felony child abuse, as specified in C.R.S. 18-6-401;
- b. felony unlawful sexual behavior, as defined in C.R.S. 16-22-102 (9);
- c. a felony offense involving unlawful sexual behavior, as defined in C.R.S. 16- 22-102 (9);
- d. a crime of violence, as defined in C.R.S. 18-1.3-406;
- e. indecent exposure, as described in C.R.S. 18-7-302;
- f. contributing to the delinquency of a minor, as described in C.R.S. 18-6-701; File: GCQF-R 2 of 3 g.
- felony domestic violence, as defined in C.R.S. 18-6-800.3;
- h. misdemeanor domestic violence, as described in C.R.S. 18-6-800.3 (1) and such conviction is a second or subsequent conviction for the same offense;
- i. misdemeanor sexual assault, as described in C.R.S. 18-3-402;
- j. misdemeanor unlawful sexual conduct, as described in C.R.S. 18-3-404;
- k. misdemeanor sexual assault on a client by a psychotherapist, as described in C.R.S. 18-3-405.5;
- l. misdemeanor child abuse, as described in C.R.S. 18-6-401;
- m. misdemeanor involving the illegal sale of controlled substances;
- n. physical assault;
- o. battery;
- p. a drug-related offense;
- q. an offense committed outside of this state, the elements of which are substantially similar to any offense described in items a-m above; or
- r. a misdemeanor committed outside of this state, the elements of which are substantially similar to sexual exploitation of children as described in C.R.S. 18-6-403 (3)(b.5).

The superintendent or designee must also immediately notify CDE when the district learns:

- a. the employee has forfeited any bail, bond or other security deposited to secure the employee's appearance and the employee is charged with having committed a felony or misdemeanor for any offense described in items a-m above; or
- b. the employee has paid a fine or received a suspended sentence for any offense described in items a-m above.

The superintendent or designee must also notify CDE when:

- a. The county department of social services or the local law enforcement agency reasonably believes that an incident of child abuse or neglect has occurred and the school employee is the suspected perpetrator and was acting in an official capacity as an employee of the district.
- b. The Board reasonably believes that an employee is guilty of unethical behavior or professional incompetence.

File: GCS

Professional Research and Publishing

The Board recognizes the value of educational research conducted by staff members. However, all research studies carried out within the school system using district or school data of any kind or staff

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or students as subjects must be approved in advance by the superintendent or designee. Only those studies which have value to the school district shall be approved.

The superintendent or designee shall keep a file on topics needing study that shall be shared with staff members at their request.

When human subjects are involved in research, there shall be adequate protection of their rights and welfare. The individual shall be subjected to no serious risk. Parents of students who are subjects of research or adults if they are the subjects shall be provided an explanation of procedures and their purposes, a description of any possible risks and any benefits to be reasonably expected, an offer to respond to inquiries on procedures, and instruction on the right to refuse to participate or to discontinue participation at any time without prejudice.

Any survey, analysis or evaluation of students shall be consistent with district policy and applicable law.

All board policies are posted online at www.ffc8.org

If you have difficulty accessing the documents, please notify the Office of Human Resources.