

Jefferson County Public Schools

# **Conduct Code**

**and Related Policies**

A Guide for Parents and  
Students

**Fall 2009**



*Building Bright Futures*

July, 2009

Fall 2009

Dear Parents and Students:

Learning can best take place in a safe and orderly environment. In Jeffco Public Schools, we believe students and staff must treat each other with dignity. Mutual respect is the foundation for creating a climate where we can accomplish our mission, "To provide a quality education that prepares all children for a successful future."

The Conduct Code is designed to promote safety through high standards of behavior, and it is important that you and your student become familiar with our district policies. The Conduct Code includes all Jeffco Schools policies related to student conduct and discipline. There are serious consequences for breaking rules of conduct, and these consequences are outlined in the Conduct Code. These policies include legal terms in order to make sure that we are precise and meet the requirements of state law.

We ask that you review the Conduct Code as a family. Become familiar with our policies, and please pay special attention to the Grounds for Suspension and Expulsion. If you have questions about any policy, we encourage you to speak to your school principal, who can explain how these policies apply to your student.

Thank you for your help in keeping our school safe places to learn.

Sincerely,

A handwritten signature in cursive script that reads "Cynthia Stevenson".

Cynthia Stevenson  
Superintendent



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*Note: Additional references to student standards of behavior are available by accessing the Jefferson County School's Board Policies located @*  
*<http://www.boarddocs.com/co/jeffco/board.nsf/Public?OpenFrameSet>*

# I. STUDENT CONDUCT AND DISCIPLINE

## STUDENT RIGHTS AND RESPONSIBILITIES

*District Policy JJ*

Adopted: June 26, 1997

Revised: June 15, 2000

The purpose of this policy is to establish a renewed trust based on the humane values of self-respect and respect for others. No student has the right to interfere with the education of fellow students. If dialogue is interrupted or destroyed, then the bonds that hold us together are broken. It is thus the responsibility of each student to respect the rights of all who are involved in the educational process.

Members of the school community, students, parents, and school staff have the responsibility to promote regular attendance at school, orderly conduct and behavior, freedom from fear of insult, harassment or injury, and to provide maximum opportunities for learning for each student.

### **Student Responsibilities**

While on school grounds, in school facilities, in district approved vehicles, or at school sponsored events, the responsibilities of students shall be as follows:

1. To help maintain an overall atmosphere conducive to learning, and to respect the principle that no student shall engage in any activity which disrupts or threatens to disrupt the school operation and/or interfere with the public or private rights of others.
2. To refrain from any conduct, which discriminates against other students on the basis of race, color, religion, national origin, ancestry, sex, sexual orientation, age or disability.
3. To attend classes, be on time, and attempt to complete a course of study as prescribed by the Board of Education.
4. To respect the property of the school by caring for it and protecting it from theft, and to refrain from theft of any property of the school, staff and other students.
5. To return all district property to the school, or reimburse the school at replacement value of each item, prior to transfer or withdrawal from the district, level change within the district, or graduation.
6. To promote the physical safety and personal security of all others, exercising in this pursuit, a high degree of self-discipline, and to not engage in assaultive behavior, including fighting with students, staff or other persons.
7. To refrain from all conduct which presents a threat to the safety and welfare of other students or school personnel.
8. To personally refrain from, and discourage others from, bringing, carrying, possessing or using any kind of weapon.
9. To refrain from using, possessing, buying, selling, giving, purchasing, exchanging or being under the influence of alcohol and illegal drugs; to refrain from selling or exchanging drugs and substances which the student represents as drugs; and to refrain from possessing drug paraphernalia.
10. To practice and encourage honesty in academic work and in all other transactions.
11. To respect the staff by obeying all reasonable requests with equanimity and avoiding the use of profanity or obscene gestures.
12. To be familiar with school rules and Board policies regarding expectations for all students.

**Student Rights**

There is an urgent and growing need for school administrators to provide strong leadership in the area of human rights. Human rights accrue to all people simply because they are human. One's humanness cannot be denied because of temporary status as a student; nor should students be denied the opportunity to learn about, and practice, human rights behavior in the school setting.

Of equal importance is the right of school authorities, consistent with fundamental constitutional safeguards, to prescribe and control conduct in the schools. The difference between the freedoms expected by the students and the necessary restrictions of their actions in the rules set down by the schools to maintain good order can be bridged by appropriate conduct on the part of both.

**Education**

Every student has the right to an education relevant to needs and ability — as provided by state law.

**Freedom of Expression and Assembly**

Students have the right to assemble and express themselves by speaking, writing, distributing, wearing or displaying symbols of ethnic, cultural, or political values such as buttons, badges, emblems, and armbands; or through any mode of dress or grooming style; or through any other medium or form of expression, except that the principal, or designee, may regulate expression, provided the regulation is based on legitimate educational concerns, there is a factual basis for believing a specific form of expression by a specific student is causing or will cause substantial disruption of school activities or the expression constitutes a health or safety hazard. Students shall also have the right to refrain from expressing themselves in these student originated activities.

**CROSS REFS:** JICA, Student Dress Code  
JICEA, School - Related Student Publications  
JICH, Drug and Alcohol Use by Students

## **GROUNDS FOR SUSPENSION/EXPULSION**

*District Policy JKDA/JKEA*

Adopted: June 26, 1997

Revised: April 23, 2009

The principal may suspend or recommend expulsion of a student who engages in one or more of the following specific activities while in school buildings, on school grounds, in school vehicles or during a school-sponsored activity, except that in appropriate circumstances, the principal may suspend or recommend expulsion of a student for behavior off school property as authorized by law. Expulsion shall be mandatory for serious violations in a school building or on school property.

### **The following shall be grounds for suspension or expulsion from a public school:**

10. Continued willful disobedience or open and persistent defiance of proper authority, including deliberate refusal to obey a member of the school staff or the use of obscene or profane language or gestures to a member of the staff;
20. Willful destruction or defacing of school property; law enforcement shall be contacted in offenses involving major property damage or loss;
25. Possessing or using any explosive or incendiary device, or a component of such device; or setting fire to or burning, or attempting to set fire to or burn any person or thing. (in cases of first-degree arson, refer to "crime of violence" procedures in policy JKD/JKE-1);
30. Behavior on or off school property which is detrimental to the welfare or safety of other students or of school personnel including behavior which creates a threat of physical harm to the child or other children, except that if the child who creates such a threat is a child with a disability as defined under C.R.S. 22-20-103(1.5), such child may not be expelled if the actions creating such threat are a manifestation of such child's disability;
40. Repeated interference with the school's ability to provide educational opportunities to other students;
50. A physical condition or disease which causes the attendance of the student suffering therefrom to be harmful to the welfare of other students;
60. Assault upon a teacher or school employee. A minimum of three days suspension is mandatory; law enforcement shall be contacted for any offense involving a weapon or serious bodily injury (for first and second degree assault—also see #410);
70. Disorderly conduct toward or harassment of a teacher or school employee, a minimum of three days suspension is mandatory; law enforcement shall be contacted for any offense involving a weapon or serious bodily injury;
80. Making knowingly false allegation of child abuse against a teacher or school employee, a minimum of three days suspension is mandatory; law enforcement shall be contacted for any offense involving a weapon or serious bodily injury;
90. Damage to property of a teacher or school employee which occurs on school premises, a minimum of three days suspension is mandatory; law enforcement shall be contacted for any offense involving a weapon or serious bodily injury;
100. Assault upon another student; law enforcement shall be contacted for any offense involving a weapon or serious bodily injury (for first and second degree assault—also see #410);
101. Third degree assault / disorderly conduct / fighting;
110. Hazing, harassment of another student; law enforcement shall be contacted for any offense involving a weapon or serious bodily injury;

120. Intimidation of, bullying of another student; law enforcement shall be contacted for any offense involving a weapon or serious bodily injury;
130. Discrimination against or any criminal offense against another student; law enforcement shall be contacted for any offense involving a weapon or serious bodily injury;
140. Damage to property of another student which occurs on or off school premises; law enforcement shall be contacted for any offense involving a weapon or serious bodily injury;
150. Unauthorized possession, sale, gift, purchase, exchange, distribution, use and/or being under the influence of drugs; law enforcement shall be contacted for all violations (see policy on pages 12-18);
160. Unauthorized possession, sale, gift, purchase, exchange, distribution, use and/or being under the influence of alcohol and for possession and/or use of drug paraphernalia; law enforcement shall be contacted for all violations (see policy on pages 12-18);
170. Knowingly copying or using the academic work of another and presenting it as his or hers without proper attribution;
180. Deliberate failure to attend classes;
190. Possession of, smoking, or use of any tobacco product in or on school property or at any student activity sponsored by the district;
200. Driving a motorized vehicle to school if the student is under sixteen years of age, without a valid driver's license, or to a middle school without the principal's prior written approval;
210. Initiating or participating in false alarms, false notification of alarms, or bomb scares; law enforcement shall be contacted;
220. Appearance or dress that is substantially disruptive to the educational process or constitutes a health or safety hazard;
230. Lying or giving false information, either verbally or in writing, to a school employee;
240. Stealing or attempting to steal public or private property;
250. Violation of the district's policies relating to unlawful discrimination and harassment;
260. Committing extortion, coercion, or blackmail, including but not limited to, obtaining money or other objects of value from an unwilling person or forcing an individual to act through the use of force or threat of force; law enforcement shall be contacted;
270. Failure to comply with immunization requirements (Part 9, Article 4, Title 25, C.R.S.). Any suspension, expulsion, or denial of admission for such failure to comply shall not be recorded as disciplinary action but may be recorded with the student's immunization record with an appropriate explanation;
280. Carrying, bringing, using, or possessing any weapon, including any knife, regardless of length of blade in any school building, on school grounds, in any school vehicle, or at any school sponsored activity without express prior authorization from the principal; law enforcement shall be contacted (see policy on page 11);
285. Carrying, using, actively displaying, or threatening with the use of a firearm facsimile that could reasonably be mistaken for an actual firearm in a school building or on school property;
290. Carrying, bringing, using, pointing, or possessing laser pointers;
300. Gang-related activity; law enforcement shall be contacted when any known or suspected gang members are on campus who are not students;
310. Sexual misconduct including, but not limited to, displays or other inappropriate sexual conduct; law enforcement shall be contacted in all cases of sexual assault ("Crimes of Violence and Unlawful Sexual Behavior" policy on page 62 may also apply);
320. Misuses of district computers and technology, including but not limited to, the unauthorized reproduction of school or legal documents, copyright violations, attempts

to harm or destroy data of another user, improper use of the internet or electronic mail, vandalism, solicitation, uploading, downloading, or creation of computer viruses, and tampering with operating systems or data;

330. Violation of district policy or regulations, or violation of criminal law which has an effect on the school or on the general safety or welfare of students or staff; law enforcement shall be contacted in any situation deemed appropriate by school administration;
340. Threats of serious bodily injury or death to one or more district employees or students; law enforcement shall be contacted;
350. Threats to damage or destroy district property or the property of one or more district employees or students; law enforcement shall be contacted;
360. Threats to disrupt school or district operations; law enforcement shall be contacted;
370. Other serious violations, as determined by the school principal, occurring in a school building or on school property, at a district sponsored activity or in a district vehicle; law enforcement shall be contacted in any situation deemed appropriate by school administration.

**Deferred Expulsion / Alternative to Expulsion**

375. In lieu of expulsion, the principal or designee, at his or her discretion, may recommend that a student be allowed to enter into an agreement to defer an expulsion for use and possession of drugs, and for expulsions that are not mandatory. Successful completion of the terms of the agreement would result in the expulsion being changed to a suspension. Failure to complete the terms of the agreement would result in expulsion.

**Suspension followed by expulsion is mandatory for the following offenses when the behavior occurs in a school building, in or on school property, in school vehicles, or at district sponsored activities or events regardless of their location:**

380. Violation of the district's policy on dangerous weapons in the schools. Expulsion shall be mandatory for carrying, bringing, using, or possessing a dangerous weapon without the prior authorization of the school or school district, in accordance with state law. "Dangerous weapons" include:
  - a. A firearm, whether loaded or unloaded;
  - b. Any pellet or BB gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air;
  - c. A fixed blade knife with a blade that measures longer than three inches in length or a spring loaded knife or a pocket knife with a blade longer than three and one-half inches;
  - d. A slingshot, bludgeon, brass or spiked knuckles, or artificial knuckles of any kind; and
  - e. Any object, device, instrument, material, or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury.
390. Any knife, regardless of length, which the student uses or threatens to use;
400. The commission of an act, which, if committed by an adult, would be robbery, as defined by state law.
410. First or second degree assault, as defined by state law.

420. Declaration as a habitually disruptive student for which expulsion shall be mandatory:
- a. For purposes of this paragraph, "habitually disruptive student" means a child who has been suspended three times during the course of the school year for causing a material and substantial disruption in the classroom, on school grounds, in school vehicles, or at school activities or events because of behavior that was initiated, willful, and overt on the part of the child.
  - b. The student and the parent, guardian, or legal custodian shall be notified in writing of each suspension counted toward declaring the student as habitually disruptive, and shall be notified in writing and by telephone or other means of the definition of "habitually disruptive student" and the mandatory expulsion of such students.
  - c. A remedial discipline plan/behavior plan may be developed for the student after his or her second suspension for causing a material and substantial disruption. Any such remedial discipline plan shall address the child's disruptive behavior, his or her educational needs, and the goal of keeping the child in school.

**Suspension followed by expulsion is mandatory for the following offenses when the behavior occurs in a school building, in or on school property, in school vehicles, at district sponsored activities or events regardless of their location, or off school property, when such conduct has a nexus to school or any district curricular or noncurricular activity or event:**

430. The third offense and all subsequent offenses within any three-year period for possession, use and/or being under the influence of alcohol or illegal over-the-counter drugs, and for possession of drug paraphernalia.
440. The second offense and all subsequent offenses within any three-year period for possession, use and/or being under the influence of illegal drugs not sold over the counter, and for purchasing or selling over-the-counter drugs or alcohol.
450. The first and every subsequent offense for purchasing and selling all drugs except those sold over the counter.

**LEGAL REFS.:**

C.R.S.12-22-303 (7)  
C.R.S.18-3-202*et seq.*  
C.R.S.18-4-301*et seq.*  
C.R.S. 22-32-109.1  
C.R.S. 22-33-106 (1)(a-e)

**CROSS REFS.:**

ECAC, Vandalism  
GBGB, Staff Personal Security and Safety  
JBB, Sexual Harassment of Students  
JICF, Secret Societies/Gang Activity and Dress  
JK, Student Discipline, and subcodes

## **WEAPONS IN SCHOOL**

*District Policy JICI*

Adopted: June 26, 1997

Revised: June 3, 2009

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

Carrying, bringing, using or possessing a dangerous weapon in any school building, on school grounds, in any school vehicle or at any school-sponsored activity without the authorization of the school or the school district is prohibited. As used in this policy, "dangerous weapon" means:

1. A firearm, whether loaded or unloaded.
2. Any pellet, BB gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air.
3. A fixed blade knife with a blade that measures longer than three inches in length or a spring loaded knife or a pocket knife with a blade longer than three and one-half inches in length or any knife, regardless of length, which the student uses or threatens to use.
4. A slingshot, bludgeon, brass or spiked knuckles or artificial knuckles of any kind.
5. Any object, device, instrument, material, or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury.

The principal shall initiate expulsion proceedings immediately for students who violate this policy. A student may, but need not be expelled for violating this policy if, as soon as possible upon discovering that he or she is in possession of the dangerous weapon, the student notifies and delivers the weapon to school officials.

The Board of Education determines that extra precautions are important and necessary to provide for student safety. Therefore, the carrying, bringing, using or possessing of any knife, regardless of length of the blade, in any school building, on school grounds, in any school vehicle or at any school-sponsored activity without express prior authorization from the principal is prohibited. Students who violate this policy may be expelled.

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

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

School personnel shall refer any student who brings a firearm or weapon to school to law enforcement.

An exception to this policy may be made for students participating in an authorized extracurricular activity or team involving the use of firearms.

**LEGAL REFS.:** 18 U.S.C. §921 (a)(3) (federal definition of "firearm")  
20 U.S.C. §8921 *et seq.* (Gun-Free Schools Act of 1994), C.R.S. 22-33-106 (1)(d)

**CROSS REFS.:** JKD/JKE, Suspension/Expulsion of Students KFA, Public Conduct on School Property

## **STUDENT INVOLVEMENT REGARDING DRUGS AND ALCOHOL**

*District Policy JICH*

Adopted: June 26, 1997

Revised: June 30, 2000

The Board of Education recognizes that the unlawful or unauthorized student use, possession, distribution, gift, purchase, exchange or sale of alcohol or drugs is detrimental to the health, welfare and safety of all students involved in such practices. Therefore, the Board of Education assumes its responsibility for adopting a policy that will minimize these detrimental effects by providing drug and alcohol abuse prevention programs designed to educate students regarding the harmful effects of drug and alcohol abuse, and to develop decision-making skills regarding such substances.

As used in this policy, "drugs" are all substances defined under state statutes as "drugs" or "controlled substances," as well as counterfeit drugs and substances falsely represented as being drugs.

As used in this policy, "legal drugs" are defined as over-the-counter and prescription drugs, including vitamins and other dietary supplements, that are properly possessed and used by the person for whom they are intended in accordance with all applicable district policies and regulations.

As used in this policy, "illegal drugs" are all drugs not defined herein as legal drugs.

Student possession, use, distribution, gift, purchase, exchange, sale or being under the influence of illegal drugs or alcohol is prohibited on all district property, at district or school-sanctioned activities or events, when students are being transported in vehicles dispatched by the district or one of its schools, and off school property when such conduct has a nexus to school or any district curricular or non-curricular activity or event.

The Board of Education believes that effective prevention and treatment of drug and alcohol abuse requires the combined efforts of parents and the district. Therefore, the Board of Education supports the concept that parents have the responsibility to cooperate with the district in attempting to prevent drug and alcohol abuse problems and to seek help from public and private agencies for students involved in drug and alcohol abuse.

Compliance with the standards of conduct set forth in this policy and its accompanying regulations are mandatory for all students. A violation shall subject a student to appropriate disciplinary action, up to and including expulsion and referral for prosecution. Any suspension or expulsion allows for a hearing and review consistent with student rights as expressed in district policy and regulations. In appropriate circumstances, disciplinary sanctions may include the completion of an approved drug or alcohol abuse rehabilitation program.

The superintendent shall implement age-appropriate, developmentally based drug and alcohol education and abuse-prevention programs for all students in all district schools, from early childhood through grade 12, that inform students:

1. That the possession and/or use of illegal drugs and the unlawful possession and use of alcohol is wrong and harmful.
2. About the legal, social, and health consequences of drug and alcohol use and effective techniques for resisting peer pressure to use illegal drugs and alcohol.
3. About the standards of conduct and prohibition on the possession, use, distribution, gift, purchase, exchange, sale or being under the influence of illegal drugs and alcohol set forth in this policy.
4. About available drug and alcohol counseling and rehabilitation programs.
5. About penalties that may be imposed for the possession, use, distribution, gift, purchase, exchange, sale or being under the influence of illegal drugs and alcohol in violation of this policy.

The superintendent shall ensure that all students and parents are provided a copy of this policy and accompanying regulations.

**LEGAL REFS.:**

20 U.S.C. §3221 (defines drug abuse education and prevention)  
20 U.S.C. §7116 (Safe and Drug-Free Schools and Communities Act of 1994)  
C.R.S. 18-18-102 (3), (5)  
C.R.S. 18-18-407 (2)  
C.R.S. 22-1-110  
C.R.S. 22-33-106 (1)(d)

**CROSS REFS.:**

IHAMA, Teaching about Drugs, Alcohol and Tobacco  
JIH, Student Interrogations, Searches and Arrests  
JKD/JKE, Suspension/Expulsion of Students  
JLCD, Administering Medicines to Students

**STUDENT INVOLVEMENT REGARDING DRUGS AND ALCOHOL**

*JICH-R — Regulations for District Policy JICH*

Adopted: June 26, 1997

Revised: April 23, 2009

Disciplinary action, independent of court action, will be taken in cases involving student possession, use, distribution, gift, purchase, exchange, sale or being under the influence of illegal drugs or alcohol on any district property, at district or school-sanctioned activities or events, and when students are being transported in vehicles dispatched by the district or one of its schools. Disciplinary action, independent of court action, will also be taken in cases involving student possession, use, distribution, gift, purchase, exchange, sale or being under the influence of illegal drugs or alcohol off school property when such conduct has a nexus to school or any district curricular or non-curricular activity or event.

The principal will provide full cooperation of the administration and faculty in appropriate police investigations relative to student possession, use, distribution, gift, purchase, exchange or sale of illegal drugs or alcohol.

As used in these regulations, the terms "drugs," "legal drugs" and "illegal drugs" shall have the same meanings as in Policy JICH.

For purposes of these regulations the words "purchasing", "selling" and "sale" refer to involvement in the exchange of drugs or alcohol for anything of value, including but not limited to money, commodities or services. There need be no use or intent to use the drugs or alcohol involved in the sale.

#### **GENERAL PROCEDURES**

The following procedures will be followed by school personnel for students under the influence of alcohol or illegal drugs or demonstrating negative effects from taking legal drugs:

1. If a student appears to be displaying unusual behavior in or out of the classroom due to the possibility of ingesting alcohol or some drug, the staff member will notify the administrator or designee who will determine the seriousness of the situation.
2. When necessary, standard emergency procedures will be followed as outlined in the Clinic Aide Training & Resource Manual.
3. A parent or other designated person must be contacted as soon as possible. When contacting parents or the designated person on the emergency card, advise them that the child is displaying unusual or dangerous behavior. Describe the behavior but do not attempt to diagnose the student's condition.
4. While waiting for parents or designated persons, or further medical aid, the student will not be left alone but placed in a quiet situation where the student will remain under observation.
5. It is the responsibility of the school administrator in charge of such matters to ensure that follow-up communication with parent and student occurs as soon as possible to determine the cause of the unusual behavior.
6. Records of student drug offenses noting date, type of offense, and disciplinary action taken will be kept at the local school. Drug offense records will be forwarded to the next Jefferson County School the student will be attending.
7. The school administrator shall promptly report to law enforcement suspected violations of law regarding illegal drugs, drug paraphernalia or alcohol. School administration will cooperate fully with local law enforcement agencies when investigation and searches related to drug offenses are in progress.

#### **DISCIPLINARY PROCEDURES FOR POSSESSION, USE AND/OR BEING UNDER THE INFLUENCE OF ALCOHOL OR ILLEGAL OVER-THE-COUNTER DRUGS AND FOR POSSESSION OF DRUG PARAPHERNALIA**

Students who possess, use and/or are under the influence of alcohol or illegal over-the-counter drugs or who possess drug paraphernalia on district property, at district or school-sanctioned activities or events, when being transported in vehicles dispatched by the district or one of its schools, or off school property when such conduct has a nexus to school or any district curricular or non-curricular activity or event, will be handled in the following manner:

1. A school staff member who comes in contact with evidence and/or contraband will notify an administrator immediately.

2. A school staff member who has reasonable cause to believe that a student is in possession of, has used or is using alcohol or illegal drugs or is in possession of drug paraphernalia will request that the student accompany him/her to the principal or designee. If the student refuses, the staff member will notify the principal or designee immediately.
3. The principal or designee will attempt to obtain evidence by directly requesting it from the student or through search procedures as outlined in Board policy JIH and regulation JIH-R, Student Interrogations, Searches and Arrests.

**Penalties for Possession, Use and/or Being Under the Influence of Alcohol or Illegal Over-The-Counter Drugs and for Possession of Drug Paraphernalia**

**First Offense**

1. The student will be suspended from school for five days upon the first offense within any three-year period.
2. A parent conference will be held.
3. The school official will attempt to develop with the parents and the student a procedure that will outline the responsibilities of the parent, the student, and the school in an effort to keep any further offenses from occurring.
4. Parent and student may be provided information concerning available and appropriate drug or alcohol counseling, treatment, and rehabilitation programs.
5. The principal may request or recommend additional suspension and/or expulsion depending upon the severity of the case.

**Second Offense**

1. The student will be suspended from school for ten days upon the second offense within any three-year period.
2. **Alternate** – The suspension period may be reduced to five days provided the student agrees to complete an approved alcohol and drug education/treatment/counseling program mutually agreed to by the parent and school. The responsibility for initiating and completing the program will rest with the student and parent. Any associated costs will be borne by the student/parents. Failure to provide documentation of completion of the program within the prescribed time limits will result in the imposition of the additional five days of suspension.
3. Upon re-admittance to school, a progress report on attendance, grades, and behavior can be requested by the parents at the end of three school days, three weeks, and three months.
4. The principal may request or recommend additional suspension and/or expulsion depending upon the severity of the case.

**Third Offense**

1. The student will be expelled upon the third offense and all subsequent offenses within any three-year period.
2. If the student participates in an appropriate rehabilitation program, as determined by the district, and receives significant treatment, the district will consider reducing the length of the expulsion.

**DISCIPLINARY PROCEDURES FOR POSSESSION, USE AND/OR BEING UNDER THE INFLUENCE OF ILLEGAL DRUGS NOT SOLD OVER THE COUNTER; AND FOR PURCHASING OR SELLING DRUGS (INCLUDING OVER-THE-COUNTER DRUGS AND ALL DRUGS NOT SOLD OVER THE COUNTER) OR ALCOHOL**

Students who possess, use and/or are under the influence of illegal drugs not sold over the counter on district property, at district or school-sanctioned activities or events, when being transported in vehicles dispatched by the district or one of its schools, or off school property when such conduct has a nexus to school or any district curricular or non-curricular activity or event, will be handled in the following manner:

1. A school staff member who comes in contact with evidence and/or contraband will notify an administrator immediately.
2. A school staff member who has reasonable cause to believe that a student is in possession of, has used or is using illegal drugs will request that the student accompany him/her to the principal or designee. If the student refuses, the staff member will notify the principal or designee immediately.
3. The principal or designee will attempt to obtain evidence by directly requesting it from the student or through search procedures as outlined in board policy JIH and regulation JIH-R, Student Interrogations, Searches and Arrests.
4. The principal or designee will then place the evidence in an envelope or other appropriate container. The envelope or container will be sealed, dated, and initialed by the individual who originally obtained the materials and by the principal or designee and then placed in the school safe.
5. The principal or designee will call the local police department and request that someone from their office picks up the sealed envelope or container containing the contraband. This material will be handed to the officer personally by the principal or the designee

Students involved in purchasing or selling drugs or alcohol on district property, at district or school-sanctioned activities or events, when being transported in vehicles dispatched by the district or one of its schools or off school property when such conduct has a nexus to school or any district curricular or non-curricular activity or event, will be handled in the following manner:

1. If an employee is a witness to an act in which drugs or alcohol is being transferred from one student to another, the staff member will immediately attempt to detain the students and request that they accompany him or her to the principal or designee. If the students refuse, the staff member will notify the principal or designee immediately.
2. The principal or designee will attempt to obtain evidence by directly requesting it from the student or through search procedures as outlined in Board policy JIH and regulation JIH-R, Student Interrogations, Searches and Arrests.
3. Follow the same procedures for handling evidence and/or contraband as outlined under the "Disciplinary Procedures for Possession, Use and/or Being Under the Influence of Illegal Drugs not Sold Over the Counter" directly above.

## PENALTIES

### A. Penalty for Purchasing or Selling All Drugs Except for Those Sold Over the Counter

1. The student will be expelled for the first and every subsequent offense.

### B. Penalties for Possession, Use and/or Being Under the Influence of Illegal Drugs not Sold Over the Counter; and for Purchasing or Selling Over-The-Counter Drugs or Alcohol

#### First Offense

1. The student will be suspended from school for five days upon the first offense within any three-year period.
2. A parent conference will be held.
3. The school official will attempt to develop with the parents and the student a procedure that will outline the responsibilities of the parent, the student, and the school in an effort to keep any further offenses from occurring.
4. Parent and student may be provided information concerning available and appropriate drug or alcohol counseling, treatment, and rehabilitation programs.
5. The principal may request or recommend additional suspension and/or expulsion depending on the severity of the case.

#### Second Offense

1. The student will be expelled upon the second offense and all subsequent offenses within any three-year period.
2. **Alternative to Expulsion:** The expulsion will be waived and a suspension period of five days will be imposed if the student agrees to complete an approved drug education/treatment/counseling program mutually agreed to by the parent and school. The responsibility for initiating and completing the program will rest with the student and parent. Any associated costs will be borne by the student/parent. Failure to provide documentation of completion of the program within the prescribed time limits will result in the imposition of the entire requested period of expulsion beginning from the time of the notice of failure to complete the program.

The principal may recommend, based on the severity of the case, that the alternative to expulsion is not warranted and will not be considered.

Students who complete an approved drug education/treatment/counseling program will be expelled for any subsequent offenses.

## **PREVENTION OF BULLYING**

*District Policy JBC*

Adopted: June 7, 2001

The Board of Education recognizes the negative impact that bullying has on student health, welfare and safety and on the learning environment at school. Bullying is prohibited on all district property, at district or school-sanctioned activities or events, when students are being transported in vehicles dispatched by the district or one of its schools, and off school property when such conduct has a nexus to school or any district curricular or non-curricular activity or event.

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

- All students who believe they have been victims of bullying in any such circumstance shall immediately report it to an administrator or teacher at their school.
- All students who witness student bullying in any such circumstance shall immediately report it to an administrator or teacher at their school.
- All administrators and teachers who have any incident of bullying reported to them shall promptly forward the report(s) to the principal or principal's designee for appropriate action.
- All administrators, teachers and classified staff who witness student bullying in any such circumstance shall immediately take appropriate action to stop the bullying, as prescribed by the district and building principal, and shall promptly report the bullying to the principal or principal's designee for appropriate action.
- Each building principal or principal's designee shall ensure that all reports involving student bullying in any such circumstance are promptly and thoroughly investigated, and that appropriate action is taken.

In determining the appropriate action to be taken in response to incidents of student bullying, the building principal or principal's designee shall consider existing policies and regulations that address the type of conduct that may be involved in bullying. Such policies and regulations include, but are not limited to, JB, JBB, JBB-R, JI, JICC, JICC-R, JICI, JK, JK-R, JKD/JKE-1, JKD/JKE-R-1 & JKDA/JKEA.

Discipline for student bullying may include suspension, expulsion and/or classroom suspension. In addition, the building principal shall consider other actions which may be appropriate in response to student bullying, including but not limited to:

- Holding assemblies and implementing programs to warn students that bullying is prohibited and advise them of the consequences for engaging in bullying activity, to encourage all students to immediately report incidences of student bullying, and to engender an atmosphere where bullying is not tolerated at school or school-related activities.
- Implementing student peer mediation programs.

- Holding conferences with the parents of students who continue to engage in bullying after administrator/teacher intervention, in order to develop cooperative strategies to correct the students' behavior.
- Separating students who continue to engage in bullying after administrator/teacher intervention from other students at school or from particular school programs or activities, until they can conform their behavior to acceptable standards.
- Withholding privileges (i.e., recess, field trips, participation in extracurricular activities, etc.) from students who continue to engage in bullying after administrator/teacher intervention, until they can conform their behavior to acceptable standards.
- Holding training and inservices to assist building staff in being alert to student bullying, taking appropriate action when bullying occurs and helping to engender an atmosphere where bullying is not tolerated at school or school-related activities.

**LEGAL REFS:**  
C.R.S. 22-32-109.1

**CROSS REFS:**  
JB, Equal Educational Opportunities  
JBB, Harassment of Students  
JI, Student Rights and Responsibilities  
JICC, Student Conduct on School Buses  
JICI, Weapons in School  
JII, Student Concerns, Complaints and Grievances  
JK, Student Discipline  
JKA, Corporal Punishment/Reasonable Restraint  
JKD/JKE-1, Student Suspension/Expulsion  
JKDA/JKEA, Grounds for Suspension/Expulsion

**HARASSMENT OF STUDENTS**

*District Policy JBB*  
Adopted: June 26, 1997  
Revised: April 7, 2008

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

Harassment based on race, color, religion, national origin, ancestry, sex, sexual orientation, or disability will be regarded as a violation of this policy when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a student's education;
2. Submission to, or rejection of, such conduct is used as the basis for educational decisions affecting the student; or
3. Such conduct has the purpose or effect of adversely affecting a student's ability to participate in, or benefit from, district program(s), or of creating an intimidating, hostile, or offensive educational environment.

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

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

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

Harassment based on sexual orientation can include unwelcome, hostile, and offensive verbal, written, or physical conduct based on, or directed at, the characteristics of a person's sexual orientation, such as name-calling and imitating mannerisms.

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

Sexual harassment of students by district employees includes sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual harassment of students by other students and third parties includes *unwelcome* sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual harassment may occur whether the harassment is between people of the same or different gender. Sexual harassment can include unwelcome oral, written, or physical conduct, directed at, or related to, a person's gender, such as sexual gossip or personal comments of a sexual nature, sexually suggestive or foul language, sexual jokes, whistling, spreading rumors or lies of a sexual nature about someone, demanding sexual favors, forcing sexual activity by threat of punishment or offer of educational reward, obscene graffiti, display or sending of pornographic pictures or objects, offensive touching, pinching, grabbing, kissing or hugging, or restraining someone's movement in a sexual way.

#### **Complaint and Investigation Procedure**

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

- All students who believe they have been victims of such harassment shall immediately report it to an administrator or teacher at their school. If the harassment is being committed by the principal or another administrator in the building, the report shall be made to the community superintendent.
- All students who witness such harassment shall immediately report it to an administrator or teacher at their school. If the harassment is being committed by the principal or another administrator in the building, the report shall be made to the community superintendent.
- All administrators and teachers who have such harassment reported to them shall promptly forward the report(s) to the principal or principal's designee for

appropriate action. The principal or his/her designee may request, but may not insist upon, a written complaint. If the harassment is purportedly being committed by the principal or another administrator in the building, the report(s) shall be forwarded to the community superintendent.

- All district employees who witness such harassment shall take prompt and effective action to stop it, as prescribed by the district and the building principal, and shall promptly report the harassment to the principal or principal's designee for effective action. If the harassment is being committed by the principal or another administrator in the building, the report shall be made to the community superintendent.
- Each building principal or principal's designee (or community superintendent, if necessary or appropriate) shall ensure that all reports of such harassment are promptly and thoroughly investigated, and that effective action is taken.

#### **Informal Resolution of Complaints**

It may be possible to resolve a complaint through a voluntary conversation between the complaining student and the alleged harasser which is facilitated by a building level administrator. Both the complaining student and the alleged harasser may be accompanied by another student, parent or guardian of their choice for support or guidance. If the complaining student and the alleged harasser feel that a resolution has been achieved, then the conversation may remain confidential and no further action needs to be taken. The results of an informal resolution shall be reported by the facilitator in writing to the principal and community superintendent. If the complaining student, the alleged harasser, or the building level administrator chooses not to utilize the informal procedure, or feels that the informal procedure is inadequate or has been unsuccessful, s/he may proceed to the formal procedure.

**Any complaint against a school employee shall be handled through the formal procedure.**

#### **Formal Complaint and Investigation Process**

Persons complaining of harassment should always be informed by the administrator receiving the complaint about the complaint procedures and encouraged to file a formal complaint if the informal process is not agreed to or not appropriate under the circumstances. Persons interested in filing a formal complaint should be given assistance in completing the necessary statement or form. Even if a formal complaint is not filed, the District may choose to use the specific investigatory procedures set forth in this policy.

Formal complaints of harassment, whether verbal or in writing, should be directed to the community superintendent responsible for the complaining student's articulation area.

- The community superintendent for the articulation area in which the student attends school, or his/her designee, shall conduct the investigation. Community Superintendents can be contacted at:  
1829 Denver West Drive, Building 27, 4th floor  
P.O. Box 4001  
Golden Colorado, 80401-0001  
(303) 982-6805
- The investigation must at a minimum consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and review of circumstances deemed pertinent by the investigator.

- The community superintendent shall determine whether the alleged conduct occurred and whether it constitutes a violation of policy. Such determination shall be made in consultation with the District's Section 504/ADA /Title IX Coordinator in cases involving complaints of alleged discrimination or harassment based upon handicap/disability or gender equity issues
- The investigation shall be completed no later than 20 school days following the community superintendent's receipt of the complaint.
- The result of the investigation of each complaint filed under these procedures will be reported in writing to the complainant or his/her legal guardian by the community superintendent or his/her designee. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

Within 10 days of receipt of the Community Superintendent's determination, the complaining party may submit a written request that such determination be reviewed by the Superintendent. The Superintendent's review shall be limited to whether or not the complaint policy was adequately followed and whether there has been a violation of the District's policies.

Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances. Any student found to have engaged in harassment of another student based on the other student's race, color, religion, national origin, ancestry, sex, sexual orientation, or disability shall be required to attend a meeting with his or her parent(s) or guardian(s) and the principal or principal's designee; be subject to remedial action such as education or counseling; and be subject to disciplinary action up to and including suspension or expulsion. As set forth in Policy GBAA, Harassment of Employees, any district employee who engages in harassment of a student based on the student's race, color, religion, national origin, ancestry, sex, sexual orientation, or disability, shall be subject to remedial action such as training, education, or counseling, as well as disciplinary action consistent with the requirements of applicable collective bargaining agreements, state and federal law, including, but not limited to, warning, reprimand, transfer, suspension, or termination of employment.

Remedial and/or disciplinary actions shall include measures designed to stop the harassment, correct its negative impact on the affected student, and ensure that the harassment does not recur. Steps shall also be taken to ensure that victims of, and witnesses to, harassment are protected from retaliation.

No student shall be subject to adverse treatment in retaliation for any good faith report of harassment under this policy. To the extent possible, all reports of harassment will be kept confidential. Upon determining that incidents of harassment are occurring in particular district settings or activities, the district shall implement measures designed to remedy the problem in those areas or activities.

The district shall provide counseling resources to student victims where necessary.

The district shall train staff members to recognize and effectively deal with incidents of harassment on the basis of race, color, religion, national origin, ancestry, sex, sexual orientation, and disability.

The district shall regularly review its compliance with this policy on the harassment of students and take necessary action where deficiencies are noted.

A copy of this policy shall be published annually in the Student Conduct Code.

Complaints of discrimination or harassment may also be directed to the Denver Office for Civil Rights of the United States Department of Education, 1244 Speer Boulevard, Suite 310, Denver, Colorado 80204, Telephone Number: (303) 844-5695.

**LEGAL REFS.:**

Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d et seq.

Title IX of the Education Amendments of 1972, U.S.C. §1681et seq.

C.R.S. 24-34-401 et seq.

**CROSS REFS.:**

AC. Unlawful Discrimination / Equal Opportunity

KE and KE-R, Public Parent Concerns and Complaints

GBAA, Harassment of Employees

Jl, Student Rights and Responsibilities

Jll, Student Concerns, Complaints, and Grievances

**SMOKING AND OTHER USES OF TOBACCO BY STUDENTS**

*District Policy ADC*

Adopted: June 26, 1997

Revised: April 23, 2009

The use of tobacco by students, teachers, staff, and visitors in or on any school property or at any student activity sponsored by the district is prohibited. Signs regarding this prohibition and the consequences of a violation shall be displayed prominently on all school property. It is recommended that, at a minimum, signage should be posted at all designated school entrances, parking lot entrances, main walkways, outside of main offices, auditoriums, gymnasiums, and athletic fields (particularly spectator areas). At a minimum, other communication about the policy shall include:

- Announcements over the PA System and during intermissions at sporting events, theater performances and other extra-curricular events.
- Reminders on parent permission slips and other written materials regarding off campus field trips.
- Written details in athletic participation contracts, as well as building (property) use contracts shall specify that tobacco use is prohibited at any and all school sponsored events.

**POSSESSION OF ANY TOBACCO PRODUCT BY STUDENTS IS ALSO PROHIBITED ON SCHOOL PROPERTY OR AT ANY STUDENT ACTIVITY SPONSORED BY THE DISTRICT.**

Additionally, information available and provided from safe and drug free schools and other community based prevention initiatives will be made available at schools and through newsletters etc. About how to:

- Help children resist tobacco.
- Reduce exposure to secondhand smoke.
- Quit using tobacco.

School property includes, but is not limited to, any building used for instruction, administration, support services, maintenance, or storage, the grounds surrounding those buildings if the school is authorized to exercise dominion and control over the grounds, and all vehicles used by the school for transporting students, workers, visitors, or other persons. Schools are asked to display signs that prohibit the use of tobacco in school parking lots and throughout the campus.

Tobacco means all kinds and forms of tobacco suitable for chewing or smoking and any other product that is packaged for smoking.

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

When reasonable, the district shall not exempt any area, persons or events, including fundraisers from this prohibition.

The district may seek and accept gifts, donations, or grants of any kind, from any private or charitable sources or any government agency excluding tobacco companies, to meet the expenses required by this policy. Such funds shall be accounted for separately, and, to the extent that such funds are available, the district shall maintain and operate an educational program at each school to assist students, faculty, and staff to avoid or discontinue the use of tobacco.

#### **ADDRESSING STUDENT POLICY VIOLATIONS**

Schools should make every effort, which may include educational alternatives to suspension, to provide comprehensive interventions, for student tobacco policy violators. At a minimum, schools should provide to students:

- Educational information regarding the tobacco-free schools law.
- The district tobacco-free schools policy.
- Hazards of tobacco and resources for cessation.

#### **ADDRESSING VISITOR POLICY VIOLATIONS**

Repeat violators may be asked to leave the school property or school sponsored event (if not occurring on site at the school) to finish their tobacco product or extinguish/dispose of the tobacco product if they wish to remain on the property or at the event.

#### **ADDRESSING STAFF POLICY VIOLATIONS.**

Refer to personnel policies.

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

#### **LEGAL REFS.:**

20 U.S.C. 6083 (Federal law prohibits smoking in any indoor facility used to provide educational services to children.)

C.R.S. 22-32-109 (1)(bb)

C.R.S. 25-14-103.5  
6 CCR 1010-6, Rule 5-306

**CROSS REFS.:**

GBED, Tobacco Free Workplace  
IHAMA, Teaching about Drugs, Alcohol and Tobacco  
JICG, Smoking and other Uses of Tobacco by Students

**STUDENT CONDUCT ON SCHOOL BUSES**

*District Policy JICC (also EEAEC)*

Adopted: June 26, 1997

Revised: June 7, 2001

The right of students to ride a school bus is contingent upon their good behavior and their observance of established regulations.

The driver of the school bus shall be in complete charge of the bus during the ride and while students are entering or leaving the vehicle. Students shall be required to conform to all regulations concerning discipline, safety, and behavior while riding on the school bus. The driver shall notify appropriate authorities if a student persists in violating the established rules of conduct. A student may not be removed from a bus en route to or from school; however, after due warning has been given to the student and/or parents, the privilege of riding the bus may be withheld from the student.

Violation of district policies and regulations while on the school bus may also result in the student's suspension or expulsion from school, in accordance with Board policy.

A change in transportation under this policy of a student with disabilities whose Individual Education Program (IEP) involves transportation shall be made in conjunction with the student's IEP.

**CROSS REFS.:**

EB, Environmental and Safety Program  
EEA, Student Transportation  
JI, Student Rights and Responsibilities  
JIC, Student Conduct  
JK, Student Discipline and subcodes  
JLL, Student Safety

**STUDENT CONDUCT ON SCHOOL BUSES**

*JICC-R — Regulations for District Policy JICC*

Adopted: June 26, 1997

Revised: June 21, 2000

It is a privilege for students to ride a Jefferson County School District bus. It is the responsibility of both the driver and students to do everything possible to make the ride safe. The ability of students to ride a school bus is contingent upon the students' continuous observance of safety rules, established regulations and acceptable behavior.

The following rules of conduct are to be observed by students who ride school buses:

1. Classroom behavior and noise level is the acceptable behavior on a bus.
2. The driver is in full charge of the bus and students. The driver has the right to assign seats to meet the needs of the majority of passengers. Students are responsible for the area in which they sit. Any damage inflicted to the bus will be paid for by the students responsible.
3. The students must use only the front door to enter and exit the bus except in an emergency. Tampering with emergency doors, windows or equipment is prohibited.
4. Students must sit in the seats facing forward. Students must not block the aisles or stairwells. These areas are to remain clear in case of emergency. To prevent possible injury, students are not allowed to move around while the bus is in motion.
5. Harassment, aggressive behavior or discriminatory or abusive language or conduct towards the driver or other persons, on or off the bus, is unsafe and prohibited.
6. Possession of weapons such as knives, guns, chains or any other dangerous item that can inflict injury is strictly prohibited.
7. Throwing, spitting, kicking or shooting items inside the bus or out the windows is hazardous and prohibited.
8. Smoking or chewing tobacco and possession of alcohol, illegal drugs or drug paraphernalia while on the bus is prohibited.
9. Use of flame or spark-producing devices, including but not limited to matches, lighters, etc., is prohibited.
10. To prevent injury to students and others, no body part or other object may be extended out a bus window.
11. Students are expected to be absolutely quiet at all railroad crossings to allow the driver full concentration to correct procedures and hazards.
12. Students must have written permission from a parent or administrator to use a bus stop other than their regularly assigned stop.

Students who behave inappropriately and do not follow bus rules are subject to disciplinary action which may include suspension from all bus riding privileges, and/or suspension or expulsion from school.

Misconduct citation forms may be used to ensure proper communication between the parents, students, school personnel and the bus driver. This form must contain the student's name, school, route number, date, the driver's name and a written description of the act of misconduct.

Video cameras may be in use on buses at any time.

School district policy does not allow a student to be removed from a school bus en route to or from school. Students who present themselves at a school bus stop may not be denied a ride to school unless they have been previously suspended and do not have a note from the principal or administrator removing the suspension. If the student is ineligible to ride the bus, it will be discussed with the principal upon arriving at the school.

## **STUDENT DRESS CODE**

*District Policy JICA*

Adopted: June 26, 1997

Revised: June 7, 2001

The Board of Education recognizes that responsibility for the dress and appearance of students generally rests with individual students and their parents, and that students may wish to express themselves by the manner of their dress and appearance. Students shall not, however, wear clothing or effect an appearance at school or school-sanctioned activities or events that is or will be disruptive to the educational environment. Students also shall not wear clothing or effect an appearance that compromises the maintenance of a safe and orderly school. The following general standards shall also apply:

- Any manner of grooming or apparel, including clothing, jewelry, emblems and/or badges which by virtue of color, arrangement, trademark or other attribute is associated with or denotes membership in or affiliation with any gang, is not allowed. The prohibition on gang-related apparel shall be applied at the discretion of building-level administrators, after consultation with the superintendent or designee, as the need arises at individual schools.
- To avoid injury and disease, shoes, boots, sandals or other footwear must be worn in school buildings.
- Reasonable cleanliness of student clothing is required as a matter of general health and welfare.

Subject to approval of the superintendent or designee, principals may establish additional specific standards for their schools. Any such standards must be published and distributed to students and their parents, and a copy shall be filed with the superintendent or designee.

Disciplinary action for violation of the student dress code shall include notifying the student of the violation and a requirement that the dress or appearance be corrected before the student reenters the classroom, school environment, and/or school-sanctioned activity or event. At the discretion of the building-level administrator, a parental conference may be held. More serious consequences, including suspension or expulsion, may result from repeated or serious violations.

### **CROSS REFS.:**

J1, Student Rights and Responsibilities

## **SECRET SOCIETIES/GANG ACTIVITY AND DRESS**

*District Policy JICF*

Adopted: June 26, 1997

Revised: June 7, 2001

The Board has held public hearings concerning gang activities and their influence in the public schools. Testimony was heard from law enforcement officials, community members, students, faculty members, and school administrators.

The Board has concluded that gang activities have the potential of endangering students and threatening to disrupt the educational process in our schools. Gang activities are often

marked by the prominent display of certain colors or other evidence in wearing apparel by students, graffiti with distinctive symbols, and the use of signals and gestures to denote gang membership. Students who adopt a dress style suggestive of such display, even when not associated with gang activity, may become targets of anti-social behavior. The Board of Education declares that a purpose of policies identified below is to protect the health and safety of students and to prevent the initiation or continuation of gang membership and gang activity in our schools.

**LEGAL REFS:**

C.R.S. 22-1-120 (8)  
C.R.S. 22-32-109.1

**CROSS REFS.:**

EC, Buildings/Grounds/Property Management  
ECAC, Vandalism  
IHACA\*, Law-Related Education  
JA, Student Policies Goals  
JI, Student Rights and Responsibilities  
JB, Equal Educational Opportunities  
JBB\*, Sexual Harassment  
JBC\*, Ethnic Intimidation  
JIC, Student Conduct  
JICA, Student Dress Code  
JIH, Student Interrogations, Searches and Arrests  
JK, Student Discipline  
JKD/JKE, Student Suspension/Expulsion  
JL, Student Welfare and subcodes  
KLG, Relations with Law Enforcement Authorities

**STUDENT ABSENCES AND EXCUSES**

*JH-R — Regulations for District Policy JH*

Adopted: June 26, 1997

Revised: May 13, 2009

Attendance is the responsibility of the student, the parents, and the school. The importance of regular, daily attendance as a basis for academic achievement cannot be overemphasized. Absences have a negative effect upon instructional continuity, regardless of attempts to make up the work. The district believes duplication of the classroom experience can never be accomplished with after-school assignments. The school cannot teach students who are not present. The regular contact of students with one another in the classroom and their participation in a well-planned instructional activity under the tutelage of a competent teacher are vital to this purpose.

**RESPONSIBILITIES**

**Student Responsibilities for School Attendance**

1. To attend school for all days of the established school calendar
2. To appear in class on time, prepared for academic learning
3. To contact teachers on the day the student returns from any absence to arrange to complete all makeup work assigned and to establish when this makeup work is due
4. To complete work as assigned by the teacher when a pre-authorized absence is requested and approved

5. To follow the established school procedure when enrolling in or withdrawing from a class

#### **Parent Responsibilities for School Attendance**

1. To maintain communication with their children regarding attendance
2. To recognize that any absence, regardless of cause, has a possible detrimental influence on student achievement
3. To contact the school in a timely fashion based on the school's reporting procedures regarding absences and in the case of extended home confinement, request makeup assignments
4. To monitor the makeup work of the student who has missed class
5. To attend and participate in school attendance conferences when requested
6. To recognize that student attendance at school is a collaborative effort between the home and school.

#### **Teacher Responsibilities for School Attendance**

1. To take attendance daily and maintain accurate attendance records according to district policy and school regulations.
2. To notify parents in a timely fashion of attendance concerns
3. To provide makeup work to any student who has excused or unexcused absences, provided the student or parent/guardian requests the makeup work within one day of the student's return to that class

#### **Administrative Responsibilities for School Attendance**

1. To supervise the school attendance policy and procedures
2. To develop and implement procedures to determine whether or not the student's parents or guardian had knowledge of a student's absence
3. To provide parents with information about the school's attendance procedures, including extended and/or pre-arranged absences, as well as information about their child's attendance record when requested
4. To develop and implement procedures to communicate to appropriate school staff concerning student absences, excused and unexcused
5. To inform parents and students of school and district attendance regulations
6. To contact Student Outreach regarding truant students
7. At a minimum, attendance shall be recorded twice during each scheduled school day.

### **ATTENDANCE PROCEDURES**

#### **Excused Absences**

When a student requests to be dismissed during the school day, communication with the parent or guardian should take place before dismissal is approved.

The following shall be considered excused absences:

1. A student who is temporarily ill or injured or whose absence is approved by the school administration on a prearranged basis. Prearranged absences shall be approved for appointments or circumstances of a serious nature only which cannot be taken care of outside of school hours.
2. A student who is absent for an extended period due to physical, mental or emotional disability.
3. Excused absences include funerals, illness, injury, legal obligations, medical procedures and religious observations, and extenuating circumstances determined by the principal.

4. A student who is attending any school-sponsored activity or who is receiving Jeffco educational services shall not be considered absent for attendance reporting purposes.

A school will require communication from parents or guardian within 24 hours to verify the reason for a student absence. The school may require suitable proof regarding the above exceptions, including written statements from medical sources.

Schools will then notify the parents or guardian if the absence will be considered unexcused pursuant to district policy.

Students who are 18 years of age or over could petition the principal to call themselves in as absent. The student shall meet with the principal and work out an agreement.

Any absence not specifically covered by another section, such as family vacations, college visits, or other extended absence, must complete a pre-arranged absence form in order to be excused. This form must be submitted at least three days prior to the scheduled absence. In order for the absence to be excused, the student must meet one or more of the following conditions:

1. Is in good academic standing
2. has no unexcused absences
3. has four or fewer excused absences in a semester or seven or fewer in a school year

The school will enforce the written district policy for make-up work.

Any student who misses at least 10 consecutive days, regardless of whether the days are excused or unexcused, will have their "Continuous in School" and October New to School" codes reset.

#### **Make-up Work for Excused Absences**

It is essential that students absent from school make up work missed.

It is the responsibility of the student and parent or guardian to initiate requests for and pick up makeup work on the day he or she returns to class from an excused absence.

Makeup work should reflect class assignments missed during the absence, and a reasonable amount of time should be allowed for work completion. Time allowed to make up work is twice the number of classes or days missed (two days allowed for make-up work for each day of absence); however, an extension of this time limit may be approved by the school administration. Students who complete makeup work within the required timeline will receive full academic credit earned for the makeup work.

#### **Unexcused Absences**

Unexcused absences are defined as absences not covered by the grounds for excused absences, including students leaving class without permission of the teacher or administrator in charge, students missing a class without parental approval, "sneak days", "ditch days", and "prank days", and circumstances determined by the principal. Each unexcused absence shall be entered on the student's record and the parents or guardian of the student receiving an unexcused absence shall be notified orally or in writing by the school. Unexcused absences will subject the student to appropriate consequences, including school sanctions and/or the imposition of academic sanctions for classes missed. At the senior high school level,

persistent unexcused absenteeism may, in the judgment of the teacher and school administration, result in a failing grade.

Court action may be initiated by the designated school authorities when deemed necessary in order to enforce school attendance requirements. The maximum number of unexcused absences a student may incur before judicial proceedings are initiated to enforce compulsory attendance is four days in one month or 10 days in one year.

*For attendance purposes*, any absence from school resulting from suspension will be considered an "unexcused" absence. Such absences due to suspension, however, shall not be counted in the total of unexcused absences when determining if a student is "habitually truant."

#### **Make-up Work for Unexcused Absences**

Classroom instruction and interaction with teachers are essential to a student's education. Because of the importance of classroom instruction and learning, students with unexcused absences will be expected to complete classroom assignments to demonstrate their learning on content standards and to meet the academic expectations of the teacher. As with excused absences, time allowed to make up work is twice the number of classes or days missed (two days allowed for makeup work for each day of absence); however, an extension of this time limit may be approved by the school administration. Students who complete the required makeup work within the required timelines will receive academic credit earned for the makeup work as described below.

- **Grades one through six:** make-up work will receive full credit.
- **Grades seven and eight:** makeup work will be allowed for credit with one grade reduction for all work completed.
  - when a student has missed classroom discussions or classroom work that cannot be duplicated through a simple assignment, the teacher may elect to request that the student create a method for demonstration of the learning or the teacher may elect to assign specific work to demonstrate the learning. If the student fails to complete the assignment, no credit will be given.
- **Grades nine through twelve:**
  - With the first two unexcused absences from a class, makeup work will be allowed for credit with one grade reduction for all work completed.
  - After the first two unexcused absences from a class, makeup work will be allowed for credit with two letter grade reductions for all work completed.
  - When an assignment has been given with a specific due date and the student does not turn that assignment in because of an unexcused absence on the due date, the teacher will enforce the original stated expectations regarding grading of the assignment if it is turned in late.
  - When a student has missed classroom discussions or classroom work that cannot be duplicated through a simple assignment, the teacher may elect to request that the student create a method for demonstration of the learning or the teacher may elect to assign specific work to demonstrate the learning. If the student fails to complete the work, no credit will be given.

**Tardiness**

Tardiness is defined as the appearance of a student without proper excuse after the scheduled time that a class begins. Student tardiness to class shall only be considered unexcused if it does not fall within one of the reasons for an excused absence as specified in the excused absence section of this policy. Because of the disruptive nature of tardiness and the detrimental effect upon the rights of nontardy students to uninterrupted learning, consequences shall be imposed for excessive tardiness. Parents or guardians shall be notified of all penalties regarding tardiness.

A student who arrives after the scheduled time that a class begins, but meets the state board requirements of the attendance period shall be considered present for that entire period. The student may still be marked tardy (unexcused tardy or excused tardy as applicable.) A student who arrives after the scheduled time the class has begun but does not meet the state board requirements of the attendance period shall be considered absent for that entire period.

Schools will develop a fair and equitable tardy policy that will effectively utilize resources and not result in an increase in out-of-school suspensions.

Students who arrive late to school due to a late bus will not be penalized.

**Innovative Alternatives**

An individual school may propose innovative alternatives for improving school attendance and reducing student tardiness to class. Such proposals must be approved and administered under the school-initiated pilot procedure of the district.

**CROSS REFERENCE:**

JH, Student Absences and Excuses  
IC/ICA, School Year/School Calendar  
IMDCA, Religion in the Schools  
JEA, Compulsory Attendance Ages  
JHB, Truancy  
JK, Student Discipline  
JKD/JKE-1, Student Suspension/Expulsion  
JLIB, Student Dismissal Precautions

**TRUANCY**

*District Policy JHB*

Adopted: June 26, 1997

If a student is absent without a parental excuse (or in some instances, a written medical excuse from a medical source) or if the student leaves school or a class without permission of the teacher or administrator in charge, the student shall be considered truant. An "habitual truant" shall be defined as a student of compulsory attendance age who has four unexcused absences from school in any one month or 10 unexcused absences during any school year. Absences due to suspension or expulsion shall not be counted in the total of unexcused absences.

In order to reduce the incidents of truancy, parents of all students shall be notified in writing at the beginning of each school year of their obligation to insure that all children of compulsory attendance age attend school. Parents shall be required to acknowledge in writing

awareness of their obligations and to furnish the school with a telephone number or other means of contacting them during the school day.

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

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

**LEGAL REFS.:**

C.R.S. 22-33-104

C.R.S. 22-33-107

**CROSS REFS.:**

IHBG, Home Schooling

JEA, Compulsory Attendance Ages JH, Student

Absences and Excuses

**STUDENT USE OF THE INTERNET**

*District Policy JS*

Adopted: June 26, 1997

Revised: July 10, 2006

The district believes the Internet should be used in schools as a learning resource to educate and to inform students. Accordingly, the district provides access to the Internet for its students as a means to offer a wide variety of educational resources. While many opportunities offered by the Internet are exciting and appropriate, others are unsuitable for school use. Consequently, use of the computer and Internet is for educational purposes only while attending school.

The Internet is a fluid environment in which information available to students is constantly changing. The district acknowledges that it is impossible to predict with certainty what information students might locate. The electronic information available to students does not imply endorsement by the district of the content, nor does the district make any guarantee as to the accuracy of information received on the Internet.

The district will make every reasonable effort to ensure that this educational resource is used appropriately and responsibly by students. To this end the district will provide content filtering applications that control student access to inappropriate material on the Internet. Administrators, teachers, and staff have a professional responsibility to work together to help students develop the intellectual skills needed to evaluate and choose information sources, to identify information appropriate to their age and developmental levels, and to evaluate and use information to meet their educational goals.

Use of this educational resource demands personal responsibility and an understanding of the district's acceptable use procedures for the Internet. Student use of the Internet is a privilege, not a right, and therefore entails responsibility. General rules for behavior and communications apply when using the Internet. Failure to follow the district's acceptable use

procedures and/or this policy will result in the loss of the privilege to use this educational tool and restitution for costs associated with damages, and may result in school disciplinary action (including suspension or expulsion) and/or legal action.

The district's network administrators may review student files and communications to maintain system integrity and to ensure that users are using the system appropriately and responsibly. Students shall have no expectation of privacy in any information stored on the district's servers, or in their use of school computers.

Students and their parents/legal guardians shall be required to complete and sign the district's "Acceptable Use Agreement" (see JS-E - exhibit) prior to students being permitted to access the Internet at school. The completed and signed Agreements shall be kept on file with the school.

#### **Prohibited Uses and Sanctions**

The following are not permitted while using school computers:

1. Searching, viewing, editing or retrieving materials that are not related to educational purposes (therefore, searching or viewing sexually explicit, profane, violence promoting or illegal materials is not permitted).
2. Accessing, viewing, or altering any official record or file of the school or district.
3. Sending or displaying offensive messages or pictures.
4. Using obscene language.
5. Harassing, insulting or attacking others.
6. Damaging computers, computer systems, or computer networks.
7. Violating copyright laws.
8. Using the passwords of other users.
9. Trespassing in the folders, work or files of other users.
10. Intentionally wasting computer system resources.
11. Using the network for commercial purposes.
12. Sharing of student or district staff home addresses, phone numbers, or other private information.
13. Any activity that violates a school policy, district policy, or local, state or federal law.

Sanctions for violations of any of the above prohibitions may include loss of Internet access, restitution for costs associated with damages, school disciplinary action (including suspension or expulsion), and legal action.

#### **School Web Sites**

The primary purpose of a school's web site is to communicate effectively with its community. The principal or principal's designee shall determine the content of the site consistent with this policy and ensure that the site is maintained in such a way that the community receives reasonably current and accurate information. Although the maintenance function may be undertaken in part by community members and/or students participating in a club or class, the principal or principal's designee shall retain full control over the content of the school's web site.

A school may elect to have its web site serve additional purposes related to its educational mission. These include, but are not limited to:

- Student newspaper online publication
- Yearbook

- Student literary magazines
- Teacher created class information
- Publication of appropriate student class work

When a school allows such publications on its web site, these sections of the site shall be clearly identified in purpose. The contents of these sections shall be regulated by the school's web policy, district policies, and state and federal laws.

#### **Safe Internet Use**

The school shall designate a web site administrator, a staff member who shall be responsible for ensuring that the school's web site is properly maintained in accordance with school policy, district policy, and state and federal law.

Passwords and user ID's required to maintain the site shall be carefully guarded to ensure that only authorized personnel have the opportunity to make changes in the web site.

A school's site may be maintained on the district's Internet server or its own server within the district system. Student information may only be stored on district servers or non-district but authorized servers. If a school has its own web server, a representative of the district's Internet services department must have access to that server for the purposes of emergency control.

#### **General Content Limitations on School Web Sites**

All material, textual and graphic, on a school web site shall be either original to the school, in the public domain, or posted with the express permission of its rightful owner.

A school site shall not contain links to student web sites on remote servers unless they are part of a class exercise under teacher supervision.

Teachers may maintain instructional sites on the school's web site. They may also maintain and link to instructional sites on remote servers, especially servers designed for educational use, provided that the linked sites conform to all parts of this policy. School web sites shall not link to teacher personal sites. (See definitions: Personal Site/Instructional Site.)

School web pages shall link only to sites that have a purpose directly related to the educational mission of the school. They shall not link to sites that are considered unsuitable under any other provision of school or district policy. Because of the fluid and interrelated nature of the World Wide Web, anyone following a path of links can reach virtually any of the sites available on the web. The school and district shall not be responsible for material found on remote sites reached by following links after the primary link provided from the school's site. The school and district shall not be responsible for the content of remote sites that alter their sites after the link is provided.

#### **Protection of Private Information on School Web Sites**

Because Internet publications are available to the entire world, special care should be taken to protect the privacy of students and staff. No personal information about students and staff, such as home addresses and telephone numbers, shall be included on a school web site. Identified pictures of staff members shall be included only with their express permission. Pictures of students and other directory information as defined by district policy JRA/JRC and regulation JRA/JRC-R, Student Records/Release of Information on Students, may be included unless the parent or eligible student has refused in writing to

permit such information to be designated as directory information as permitted by policy JRA/JRC.

#### **Student Generated Content Limitations on School Web Sites**

A school's web policy may allow for the inclusion of sections devoted to online publication of student newspapers, yearbooks, and/or literary magazines, provided that:

1. Those sections are clearly identified as such in the site's directory and in those sections themselves.
2. All materials published in these sections meet the requirements of school and district policies and state and federal laws.
3. The publication is supervised by an advisor assigned to the task by the principal or principal's designee.
4. Students who author published work must sign a district approved copyright consent form. The site must include a statement prohibiting unauthorized use of student material.
5. All materials published must conform to district and school policies.

A school may use an intranet server or outside servers to publish student work completed as part of a class assignment for the educational purposes identified in the class. Such publications shall be clearly identified as such. Content shall be under the control of the staff members who are assigning and grading the work. The school and district shall not be responsible for work created by a student that fails to conform to assignment restrictions.

#### **Student Initiated Organizations on School Web Sites**

Student organizations that are curriculum related and recognized in accordance with district policy JJA, Student Organizations, may have sites on the school web site. The content of such sites shall be supervised by the student organization's approved sponsor. Non-curricular student organizations that are not approved and do not have faculty sponsors may not have a site on the school web site.

#### **Instant Messaging and Discussion Groups**

The school may use discussion groups, web boards, and other asynchronous communication systems as long as such use is consistent with this policy and the district's Acceptable Use Agreement (district exhibit JS-E) and provided that a staff member is assigned to a moderator role to ensure that inappropriate material is removed in a timely fashion. The school and district are not responsible for inappropriate content posted by participants acting outside of the identified educational purposes. Asynchronous communication systems shall be disabled during time periods when no moderator will be available.

The use of synchronous communication systems with student participation shall be restricted to a controlled environment that includes staff supervision and does not allow anonymous participation. It is acceptable for participants to use pseudonyms, as long as the staff supervisor shall know the true identity of each student using a pseudonym.

#### **Changes in Technology**

Technology changes rapidly, and this policy shall need to be adjusted in the future as a result of these changes. When changes occur before this policy can be adjusted, the superintendent or chief information officer shall make decisions at the district level and the principal or principal's designee shall make decisions at the building level consistent with the philosophy set forth herein.

**Definitions**

**Asynchronous Communications** - Asynchronous communication occurs when a message is sent to a location where readers may view it at some later time and respond. These media include such communications as Usenet groups and web boards.

**Synchronous Communications** - Synchronous communication occurs when participants send and receive messages at the same time, as in a live conversation. These media include any of a variety of programs commonly referred to as "chat" programs.

**Web Site Administrator** - A staff member identified by the principal who shall be responsible for ensuring that the school's web site is properly maintained in accordance with school policy, district policy, and state and federal law.

**Instructional Site** - An educational web site maintained exclusively to assist in instruction.

**Personal Site** - A site that contains content related to a person's personal life, personal business ventures, or other non-instructional matters.

**Chat** - A communication exchange in which all participants are involved simultaneously and messages are transmitted to a common site instantly. (Synchronous communication)

**News Group/Discussion Group/Web Board** - A communication exchange in which messages are posted at a common site, but participants are not necessarily involved simultaneously. (Asynchronous communication)

**Moderator** - A staff member who reviews discussion groups regularly and who deletes unsuitable messages.

**Chat Supervisor** - A staff member who observes a scheduled chat event and intervenes as necessary.

**Pseudonym** - A false name used during chat sessions.

**LEGAL REF.:**

47 U.S.C. 201 et seq. (Communications Decency Act of 1995)

47 U.S.C. 231 et seq. (Children's Online Privacy Protection Act of 2000)

**CROSS REF.:**

IKF, Graduation Requirements

JJA, Student Organizations

JRA/JRC & JRA/JRC-R, Student Records/Release of Information on Students

**STUDENT USE OF THE INTERNET (Acceptable Use Agreement)**

*JS-E – Exhibit for District Policy JS*

Adopted: June 26, 1997

Revised: August 15, 2002

In order to provide for the appropriate use of the Internet in accordance with district policy JS, Student Use of the Internet, and other applicable district policies, the following "Acceptable Use Agreement" has been developed. (A copy of this agreement will be distributed to students and must be completed and signed by the student and the student's parent/legal guardian before a student is issued an Internet account.)

**Acceptable Use Agreement for Students**

All school computers having Internet access must be used in a responsible, efficient, ethical and legal manner. Failure to adhere to this Agreement will result in revocation of access privileges, restitution for costs associated with damages, and may result in disciplinary action as indicated in paragraph #1 below, and/or legal action.

1. From the Student Conduct Code: Grounds for Suspension or Expulsion - #32. Misuses of district computers and technology, including but not limited to the unauthorized reproduction of school or legal documents, copyright violations, attempts to harm or destroy data of another user, improper use of the Internet or electronic mail, vandalism, solicitation, uploading, downloading or creation of computer viruses, and tampering with operating systems or data.
2. Acceptable use: The use of the Internet must be consistent with the educational objectives of the Jefferson County School District. Thus, use of school computers to access the Internet is only authorized for school-related academic purposes. Use which involves violation of governing law, and/or district policy or regulations, will result in appropriate actions by the school administration. Such prohibited use includes, but is not limited to:
  - a. Searching, viewing, editing or retrieving materials that are not related to educational purposes (therefore, searching or viewing sexually explicit, profane, violence promoting or illegal materials is not permitted).
  - b. Accessing, viewing, or altering any official record or file of the school or district.
  - c. Sending or displaying offensive messages or pictures.
  - d. Using obscene language.
  - e. Harassing, insulting or attacking others.
  - f. Damaging computers, computer systems, or computer networks.
  - g. Violating copyright laws.
  - h. Using the passwords of other users.
  - i. Trespassing in the folders, work or files of other users.
  - j. Intentionally wasting computer system resources.
  - k. Using the network for commercial purposes.
  - l. Sharing of student or district staff home addresses, phone numbers, or other private information.
  - m. Any activity that violates a school policy, district policy, or local, state or federal law.
3. Privilege: The use of the Internet is a privilege, not a right, and inappropriate use will result in a cancellation of those privileges, restitution for costs associated with damages, and may result in school disciplinary action (including suspension or expulsion) and/or legal action. The system administrator(s) will deem what is inappropriate use and that decision is final. The system administrator(s) may close an account at any time, as required. The administration, faculty and staff may request the system administrator to deny, revoke or suspend specific user accounts.
4. Right to inspect/monitor: The district's network administrators may review student files and communications to maintain system integrity and to ensure that users are using the system appropriately and responsibly. Students shall have no expectation of privacy in any information stored on the district's servers, or in their use of school computers.

I have read and understand this Acceptable Use Agreement and agree to abide by its terms. I further understand that violation of this Acceptable Use Agreement may result in my loss of Internet access and/or computer use privileges, and school discipline (including suspension or expulsion) being taken against me, legal action being taken against me, and/or restitution by me for costs associated with any damages caused by such violations.

Student's Name (PLEASE PRINT): \_\_\_\_\_

Student's signature \_\_\_\_\_ Today's Date \_\_\_\_\_

**Parent or Guardian**

As the parent or legal guardian of the above student, I give my consent to his/her use of school computers to access the Internet for school-related academic purposes while at school under the terms and conditions set forth above. All students regardless of age must have this contract signed by a parent/guardian in order to access the Internet at school.

Parent/guardian name (PLEASE PRINT): \_\_\_\_\_

Parent/guardian signature: \_\_\_\_\_

Today's Date: \_\_\_\_\_

**II. STUDENT DISCIPLINE PROCEDURES**

**STUDENT DISCIPLINE**

*District Policy JK*

Adopted: June 26, 1997

Revised: June 15, 2000

The Board recognizes that effective student discipline is a major contributor to the creation of a positive and productive learning environment for all students. It is the further belief of the Board that the prime objectives of the discipline program should be to:

1. Assist students in the development of the ability to discipline themselves
2. Assist students in the development of behavior which is socially acceptable, respectful and mindful of the dignity of others
3. Ensure the rights of others to learn

All Board policies and regulations containing the letters "JK" in the file name, the district's rights and responsibilities document and local school rules developed in accordance with Board policies shall constitute the district's discipline code. All district policies, regulations, and individual school rules governing student discipline shall be distributed at regular intervals to students and their parents and to each new student and his or her parents, guardian, or legal custodian upon enrollment, and shall be placed in conspicuous places within each school throughout the year.

**Distribution of Conduct and Discipline Code**

The administration shall develop and disseminate procedures which are designed to achieve these broad objectives and maintain the necessary order in the district schools. All such procedures must be approved by the Board and conform to the requirements of law.

**Expulsion Prevention**

District personnel shall enforce discipline so that students demonstrating unacceptable behavior and their parents, guardians or legal custodians understand that such behavior shall not be tolerated and shall be dealt with according to the student discipline code. However,

available alternatives should be explored to help students who are at risk of expulsion before expulsion becomes a necessary step.

The schools shall provide students who are identified as at risk of suspension or expulsion with the necessary support services to help them avoid expulsion. The failure of the district to identify a student for participation in an expulsion prevention program or the failure of such program to remediate a student's behavior shall not be grounds to prevent school personnel from proceeding with appropriate disciplinary measures.

**Discipline of Habitually Disruptive Students**

Any student who has been suspended a second time during any school year for causing a material and substantial disruption while on school property, at a school-sanctioned activity or event or while being transported in a district-approved vehicle may be subject to an individual remedial discipline plan developed in accordance with Board policy.

Any student who causes a material and substantial disruption three times in any one school year or calendar year shall be declared an habitually disruptive student and shall be subject to mandatory expulsion in accordance with Board policy and state law.

For purposes of this policy, "material and substantial disruption" means behavior which is initiated, willful, and overt on the part of the student and results in suspension and which is considered, in the view of the principal or designee, to cause a serious interference with the orderly operation of the school or the school's ability to provide educational opportunities to the student or others or is considered to be detrimental to the welfare or safety of others.

**Discipline of Special Education Students**

Disruptive behavior by a student identified as a student with disabilities, as defined by Board policy, shall be dealt with in accordance with the student's IEP or § 504 plan. A student with a disability shall be subject to expulsion as a habitually disruptive student only if a determination has been made by the student's IEP or § 504 team that the disruptive behavior is not a manifestation of the student's disability.

**Notice of Disciplinary Information**

In accordance with state law, the principal or designee shall communicate disciplinary information concerning any student enrolled in the school to any teacher who has direct contact with the student in the classroom and to any counselor who has direct contact with the student. Persons who receive such information shall maintain the confidentiality of the information and shall not communicate the information to any other person.

When disciplinary information is communicated, the student and his or her parent(s) shall be notified and provided a copy of the information. The student and his or her parent(s) may challenge the accuracy of the information.

**LEGAL REFS:**

- C.R.S. 18-6-401 (1)
- C.R.S. 19-3-303 (1)
- C.R.S. 22-32-109.1
- C.R.S. 22-32-126 (5)
- C.R.S. 22-33-106 (1)(a-e)
- C.R.S. 22-33-202

**CROSS REFS.:**

GBGB, Staff Personal Security and Safety  
JK subcodes (all relate to student discipline)  
JRA/JRC, Student Records/Release of Information on Students

**STUDENT DISCIPLINE (HABITUALLY DISRUPTIVE)**

*JK-R — Regulations for District Policy JK*

Adopted: June 26, 1997

Revised: April 23, 2009

**Definitions**

1. "Habitually disruptive student" means a student who has been suspended three times during the school year (see Board policy JKDA/JKEA Grounds for Suspension/Expulsion) for conduct that caused a material and substantial disruption while at school or on school grounds, at a district-sanctioned activity or event or while being transported in a district approved vehicle because of behavior that was initiated, willful and overt on the part of the student.
2. Parent means a student's parent, legal guardian or legal custodian.

**Reporting Requirements**

1. The student and his or her parent(s) will be notified in writing of each suspension counted towards declaring the student as habitually disruptive, and shall be notified in writing and by telephone or other means of the definition of "habitually disruptive student" and the mandatory expulsion of such students.
2. The principal or designee will prepare a brief written summary of the incident underlying any suspension to be counted towards designation as a habitually disruptive student. The student and his or her parent(s) will be given a copy of the summary which is to be placed in the student's file. The student may submit a written response to the incident report which will be attached to the written summary.
3. If the principal or designee determines that the student has not caused a material and substantial disruption, the record of the student's involvement in the incident will be modified to reflect an accurate description of the incident and the incident will not be counted toward designation as a habitually disruptive student.
4. If the student's conduct with respect to a single incident constitutes grounds for expulsion, the principal or designee may commence expulsion proceedings pursuant to the procedures set forth in Board policy on grounds for suspension/expulsion (see policy JKDA/JKEA).

**Remedial Discipline Plans**

After the suspension of a student for a material and substantial disruption, the student and his/her parent(s) shall be notified that the incident will be designated as a habitually disruptive incident. After the second suspension for a material and substantial disruption, a remedial discipline plan may be developed by the principal or designee with the assistance of the student's teacher(s) and any other school personnel involved. The principal or designee will encourage and solicit the full participation of the student's parent(s) in the development of any such remedial discipline plans.

1. If a remedial discipline plan is developed, it will address the student's disruptive behavior and the goal of keeping the student in school as well as the goals, objectives

and timelines for modifying the disruptive behavior. The plan also will inform the student of the consequences in the event he or she continues to engage in disruptive behavior in violation of the plan. Such consequences may include discipline, including suspension or expulsion, as provided in the student conduct code (see Board policy JK) or as provided by the rules and regulations of the school.

2. The remedial discipline plan will be written in the form of a contract and signed by the student and his or her parent(s).
3. If the student and his or her parent(s) fails to attend the meeting to establish the remedial discipline plan, after reasonable attempts by the principal or designee to schedule and provide notice of the meeting, the principal or designee may conduct the meeting and establish the remedial discipline plan with those people present at the meeting.
4. The student and his or her parent(s) and the school personnel responsible for carrying out the remedial discipline plan will be provided a copy of the plan and a copy will be placed in the student's file.
5. Further instances of disruptive behavior that cause a material and substantial disruption will be dealt with in accordance with the remedial discipline plan, if one has been developed.

#### **Discipline of Habitually Disruptive Students**

1. If a student causes a third material and substantial disruption during any school year, the principal or designee, after reviewing the student's file, prior incidents and the remedial discipline plan if any, will inform the student and the parent(s) in writing that the student is subject to expulsion as a habitually disruptive student.
2. The principal or designee will initiate proceedings for expulsion of the student in accordance with Board policy on student suspension/expulsion (see policy JKDA/JKEA).

#### **CROSS REFS.:**

JKDA/JKEA, Grounds for Suspension/Expulsion

#### **CORPORAL PUNISHMENT/REASONABLE RESTRAINT**

*District Policy JKA*

Adopted: June 26, 1997

Revised: June 7, 2001

No corporal punishment shall be allowed in the district.

#### **Reasonable Restraint**

Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the school district. To the extent that their actions comply with state law and Board and/or district policy governing physical restraint of students, employees shall have the full support of the Board of Education in their efforts to maintain a safe environment.

There are times when it becomes necessary for staff to use reasonable restraint to protect a student from harming himself/herself or to protect others from harm.

Reasonable restraint is defined as involuntary immobilization of the student's opportunity for movement by staff member(s) through direct contact.

Persons employed by the district may, within the scope of their employment, including involvement in extracurricular activities, use and apply such amount of force for such period of time as is reasonable and necessary to accomplish the following purposes:

1. To quell a disturbance threatening serious, probable and imminent bodily harm to self or others
2. To obtain possession of weapons or other dangerous objects which are within the control of a student who poses a serious, probable and imminent threat of bodily harm to self or others
3. For protection against serious, probable and imminent threat of harm to self and others, or destruction of property which could lead to harm to the student or others

An act of physical force or restraint by a teacher or other employee against a student shall not be considered child abuse if the act was performed in good faith and in compliance with this policy. Such acts shall not be construed to constitute corporal punishment.

Within a reasonable time after a teacher or other employee uses reasonable restraint with a student, the teacher or other employee shall report the incident to the principal or designee. The principal or designee shall notify the parent(s) or guardian of the incident and shall determine what additional action, if any, to take. If the restraint lasted five minutes or longer, a written report shall be prepared within one day of the incident, shall be transmitted to the parent(s) or guardian of the affected student within 36 hours of the incident, and a copy shall be placed in the student's discipline and/or other appropriate file.

In the case of disabled students, any restraint used beyond the three specific situations listed above shall be identified on the student's Individual Education Program (IEP) as part of the student's behavior plan.

Teachers and other employees who may use restraint against a student for five minutes or more at a time shall be provided training which includes a continuum of prevention techniques; environmental management; a continuum of de-escalation techniques; nationally recognized physical management and restraint, including but not limited to techniques that allow restraint in an upright or sitting position; methods to explain the use of restraint to the student who is being restrained and to the student's family; and appropriate documentation and notification procedures.

Each use of restraint against a student for five minutes or more shall be reviewed by the community superintendent or designee to ascertain that appropriate procedures were followed and to minimize future use of restraint. The review shall include follow-up communication with the student and his or her parent(s)/guardian; review of documentation to consider use of alternative strategies; and recommendations for adjustment of procedures.

A general review by each community superintendent or designee shall be conducted at least annually to ascertain that procedures concerning restraint of students are appropriate. Such review shall include analysis of incident reports, documentation and follow up; training needs of staff; staff-to-student ratio; and environmental considerations including physical space, student seating arrangements, and noise levels.

**LEGAL REFS.:**

C.R.S. 18-1-703  
C.R.S. 18-6-401 (1)  
C.R.S. 19-3-103 (1)  
C.R.S. 22-32-109.1  
C.R.S. 26-20-101 et seq.  
1 CCR 301-45, Rule 2620-R-1.00 et seq.

**STUDENT INTERROGATIONS, SEARCHES AND ARRESTS***District Policy JIH*

Adopted: June 26, 1997

Revised: May 10, 2007

Incidents of suspected student misconduct may result in school discipline investigations by school administrators and criminal investigations by law enforcement, which are conducted separately. School administrators and law enforcement will, however, cooperate and collaborate to serve the best interests of students and the community. Information will be shared in accordance with the requirements of law. The fact that discipline is imposed does not necessarily mean that there will be a criminal conviction, and conversely, a criminal conviction does not necessarily mean that discipline will be imposed by the student's school. Under applicable law, different standards apply to determining culpability, in criminal proceedings and disciplinary actions.

**Interviews by School Administrators**

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

**Interrogations by School Administrators**

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

**Interviews and Interrogations by Law Enforcement Officers**

Law enforcement officers may wish to interview students regarding their knowledge of suspected criminal activity and may wish to interrogate students who are themselves suspected of engaging in criminal activity. Except when law enforcement officers have a warrant or other court order, or when an emergency or other exigent circumstances exist, such interviews and interrogations are discouraged during the students' class time. The principal and principal's designee have the right and the obligation to take reasonable steps to prevent disruption of school operations and the educational process while at the same time cooperating with law enforcement efforts. Accordingly, the principal or designee shall work together with law enforcement officers to coordinate efforts and minimize or prevent such disruption in cases of student interviews and interrogations. In the event of disagreement, the

principal or designee shall immediately contact the community superintendent or district legal counsel for assistance.

Before any student interview or interrogation begins, the principal or designee shall ascertain that the law enforcement officer has proper identification evidencing affiliation with an identified law enforcement agency. It is the responsibility of the law enforcement officer interviewing student witnesses or interrogating student suspects to assure compliance with all applicable procedural safeguards. Upon request by law enforcement to interview a student witness or interrogate a student suspect, school officials shall make an effort to notify the student's parent, guardian or legal custodian except in cases involving investigation of reported child abuse of a student where the suspected perpetrator is a member of the student's family. **However, whether or not to postpone the interview or interrogation until the parent arrives is ultimately the law enforcement officer's decision.**

#### **Searches by School Administrators**

In order to protect the safety and welfare of students and school personnel and to maintain order and discipline on school property or at school-sponsored activities or events, school authorities may search a student's person, locker, desk, locker and desk contents, personal property or automobile under the circumstances described in this policy and may seize any illegal, unauthorized or contraband materials or evidence as described in the accompanying regulation.

Searches of a student's person or personal effects such as a backpack, purse, book bag, electronic devices, motor vehicle, etc., within the school or on school grounds may be conducted by the principal or designee when that official has reasonable grounds to suspect that the search will uncover:

1. Evidence of a violation of Board and/or district policies, school rules or federal, state, or local laws.
2. Anything which, because of its presence, presents an immediate danger of physical harm or illness to any person.

The extent of the search of a student's person or personal effects and the measures used in conducting the search must be reasonably related to the objectives of the search, must not go beyond what is warranted by the nature of the suspected violation and must respect privacy considerations in light of the age and sex of the student.

School lockers, desks and other storage areas provided for students' use on school premises are school property and remain at all times under the ownership and control of the school. Lockers, desks and storage areas, as well as the contents therein, are subject to inspection at any time, without notice and without cause, at the discretion of the school district. No student shall lock or impede access to any locker or storage areas except with a lock provided or approved by school authorities.

#### **Searches and Arrests by Law Enforcement Officers**

Searches conducted by law enforcement officers on school grounds shall comply with the requirements of applicable law. No school employee will assist or otherwise participate in such a search.

Students will be released to law enforcement officers if the student has been placed under arrest or if the student's parent, guardian, or legal custodian and the student consent to such release. When a student is removed from school by law enforcement officers for any reason, school officials will make every reasonable effort to notify the student's parent, guardian, or legal custodian.

It is expected that all procedural safeguards prescribed by law are followed by law enforcement officers conducting student searches and/or arrests. However, district personnel are not responsible for an officer's legal compliance when searching or arresting a student.

**LEGAL REF.:**

C.R.S. 22-32-109.1(2)(a)(viii) (policy required as part of safe-schools plan)

**CROSS REF.:**

JK, Student Discipline, and subcodes

**STUDENT INTERROGATIONS, SEARCHES AND ARRESTS**

*JIH-R — Regulations for District Policy JIH*

Adopted: June 26, 1997

Revised: April 23, 2009

**INTERVIEWS AND INTERROGATIONS**

**Definitions**

1. "Interview" – the questioning of a student who may be a witness or victim of an incident.
2. "Interrogation" – the questioning of a student suspected of violating Board and/or district policy, a school rule, or a criminal law.
3. "Reasonable Grounds to Suspect" – more than a generalized suspicion or a mere hunch, but not requiring certainty, that a violation has occurred. For example, it may be based upon, among other things, direct observations or the reported observations or experiences of others. It involves a common-sense conclusion about human behavior based upon all of the circumstances presented.
4. "Reasonable Grounds for a Search" – more than a generalized suspicion or a mere hunch, but not requiring certainty, that a search will uncover evidence that the student violated Board and/or district policy, school rules, or state or federal law. It involves a common-sense inference from specific facts that reasonably warrants intrusion.

**Interviews by School Administrators**

The school principal or designee may question a potential student victim or witness to an alleged violation of Board and/or district policy or school rules or a student who may have relevant information without prior consent of the parent, guardian, or legal custodian. Circumstances may arise where it would be advisable to have another adult present during questioning of students.

**Interrogations by School Administrators**

The school principal or designee may question a student suspected of violating Board and/or district policies or school rules without the prior consent of the student's parent, guardian, or legal custodian. However, the school administrator must have reasonable grounds to suspect that the student committed such a violation.

The nature and extent of the questioning must be reasonably related to the objectives of the questioning.

#### **Interviews and Interrogations by Law Enforcement Officials**

When a suspected violation of criminal law has occurred on school grounds, at a school-sponsored activity, or involving school operations, law enforcement shall be promptly notified. Law enforcement officers may also independently determine that a criminal investigation involving school-related conduct is necessary.

Upon request by a law enforcement officer to question a student victim, witness or suspect, school officials shall make an effort to notify the student's parent, guardian or legal custodian. When a law enforcement officer is investigating reported child abuse involving a student and the suspected perpetrator is a member of the student's family, school officials will not contact the student's family.

It is the responsibility of the law enforcement officer interviewing student witnesses or interrogating student suspects to assure compliance with all applicable procedural safeguards. District personnel are not responsible for a police officer's compliance with the law. If a parent or student refuses to consent to police questioning, it is the law enforcement officer's responsibility to respond appropriately to such refusal.

#### **SEARCHES BY SCHOOL ADMINISTRATORS**

##### **Locker, Desk, and Storage Area Searches**

All lockers and other storage areas provided for student use on school premises remain the property of the district and are provided for the use of the students. All such lockers and other storage areas, as well as their contents are subject to inspection at any time, without notice and without cause, at the discretion of school administrators. No student will lock or otherwise impede access to any locker or storage area except with a lock provided by or approved by the principal or designee of the school where the locker is located. Unapproved locks will be removed and destroyed. Students are responsible for the security of their lockers and storage areas as well as for any loss or damage relating to the contents of such lockers and storage areas.

##### **Searches of a Student's Person or Personal Effects**

The principal or designee may search the person of a student or a student's personal effects on school property or at school-sponsored activities or events when reasonable grounds for the search exist. Such searches may be conducted without the prior consent of the student's parent, legal guardian, or legal custodian. However, within a reasonable time following the search, school officials will notify the student's parents that a personal search was conducted.

Searches of a student's person or personal effects are limited to:

1. The student's pockets;
2. Any object in the student's possession such as a purse, backpack, book bag or briefcase or electronic device; and
3. A "pat down" of the exterior of the student's clothing.

The extent of the search of a student's person or personal effects as well as the means used to conduct the search must be reasonably related to the objectives of the search and the nature of

the suspected violation. Additionally, school officials conducting the search should be respectful of privacy considerations in light of the age and sex of the student.

Searches of a student's person will be conducted in a private room by a person of the same sex as the student being searched and witnessed by one other adult of the same sex as the student being searched. Searches of a student's person that may require removal of clothing other than a coat or jacket will be referred to law enforcement. School personnel will not participate in such searches.

#### **Motor Vehicle Searches**

The principal or designee may search a motor vehicle and its contents on school premises when reasonable grounds for the search exist. The extent of the search and means used to conduct the search must be reasonably related to the objectives of the search. When a student has given written permission to search a vehicle in exchange for the privilege of parking on school property, reasonable grounds for the search is not required.

#### **Evidence Seized in a Search**

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

#### **SEARCHES AND ARRESTS BY LAW ENFORCEMENT OFFICERS**

It is expected searches by law enforcement officers will be conducted in accordance with the requirements of applicable law. When law enforcement officers conduct a search on school grounds, no school employee will assist or otherwise participate in the search.

Whenever a law enforcement officer intends to take a student into custody, the officer should notify the principal or designee so that the student may be summoned to the principal's office and arrested in a manner that is as inconspicuous as possible and minimizes disruption of school operations and the educational process. When an emergency situation arises and the student is taken into custody or arrested on school premises without prior notification to the principal or designee, the law enforcement officer should notify school authorities of the situation as soon as possible. When a student is removed from school by law enforcement officers for any reason, school officials will make every reasonable effort to notify the student's parent, guardian, or legal custodian. The school official will document such effort in writing.

School officials will release students to law enforcement officers if the student has been placed under arrest or if the student's parent, guardian, or legal custodian and the student agree to such release. If a school official has reason to believe that a student was removed from the school by a law enforcement officer without making a valid arrest or without the consent of the student and the parent, guardian, or legal custodian, the school official will attempt to immediately contact the community superintendent or legal counsel. Additionally,

school officials will notify the appropriate community superintendent of the removal of any student from school by law enforcement officer under any circumstance.

Law enforcement officers conducting student searches or arrests are responsible for compliance with all procedural safeguards prescribed by law.

## **RELATIONS WITH POLICE AUTHORITIES**

*KLG-R – Regulations for District Policy KLG*

Adopted: June 26, 1997

Revised: June 6, 2002

In order to eliminate confusion, enhance consistency in crime reporting, ensure standardization of law enforcement responses and provide for a quality educational environment in the Jefferson County School District, the following crimes/incidents will require immediate notification to the local law enforcement agency:

1. Firearms or weapons in possession of an identifiable suspect
2. Any criminal offense involving a weapon
3. Assault involving any weapon or serious bodily injury
4. Sexual assault
5. Child abuse
6. Known or suspected gang members on campus who are not students
7. Bomb threats and other threats deemed serious by a school administrator
8. Drug and alcohol violations, including paraphernalia
9. Other trespassers suspected of involvement in criminal activity
10. Crimes involving major property damage, loss or arson
11. Other situations as considered appropriate by school administration

## **STUDENT SUSPENSION/EXPULSION**

*District Policy JKD/JKE-1*

Adopted: June 26, 1997

Revised: June 6, 2002

### **Definitions**

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

1. "Suspension" means the exclusion of a student from attending school and participating in school activities for a specified and limited period of time as set forth under "suspension authority" below, unless student contact with the school district is otherwise authorized by the school or district administration.
2. "Expulsion" means the exclusion of a student from attending school and participating in school activities for a specified period of time not to extend beyond one calendar year, unless student contact with the school district is otherwise authorized by the school or district administration.
3. "Classroom suspension" means the exclusion of a student from the classroom by a teacher for causing a material and substantial disruption in the classroom through behavior that is initiated, willful and overt on the part of the student.

4. "Student with disabilities" means a student for whom a determination of disability has been made by a properly constituted individual education plan (IEP) committee or 504 committee.
5. "Parent" means a student's parent, guardian, or legal custodian.
6. "Informal hearing" means an opportunity for a student to be informed of the evidence and to explain his or her position regarding the incident constituting grounds for discipline. An informal hearing does not include representation by counsel, the ability to confront and cross-examine witnesses or to call witnesses to verify the student's version of the incident.

In matters involving student behavior which may result in the suspension or expulsion of a student, it is the policy of the Board of Education that the parent(s) be notified and involved to the greatest practicable extent in all such disciplinary procedures. In all cases, the students, parents, and school personnel shall be afforded the protection of due process of law.

A student conduct and discipline code shall be distributed to students and their parent(s) at the beginning of each school year, posted in each school and distributed to new students upon enrollment. Any significant change in the conduct and discipline code during the school year shall be distributed to each student and posted in each school.

In accordance with Board and district policies and in accordance with the requirements of the re-authorized Individuals with Disabilities Education Act (IDEA) and other pertinent federal and state laws, students with disabilities who have an IEP may be suspended and subject to expulsion.

**Alternatives to Suspension**

In lieu of suspension, the principal or designee may, at his or her discretion, permit the student to remain in school on the condition that the student's parent(s) attend class with the student for a period of time established by the principal or designee. This alternative is not automatic. The principal or designee shall consult with the student's teachers and obtain their consent before implementing this alternative. In the event that this alternative becomes disruptive, then the school will immediately terminate this option.

If the student's parent does not agree or fails to attend class with the student, the principal or designee shall suspend the student in accordance with this policy. This alternative to suspension shall not be used if expulsion proceedings have been or are to be initiated, or if the principal or designee determines that the student's presence in school, even if accompanied by a parent(s), would be disruptive to the operations of the school or be detrimental to the learning environment of other students.

**Suspension Authority**

1. A school principal or designee, by written authority of the principal, may suspend a student enrolled in the school for not more than five school days on the grounds stated in C.R.S. 22-33-106 (1) (a), (1) (b), (1) (c) or (1) (e) or not more than 10 school days on the grounds stated in C.R.S. 22-33-106 (1) (d) unless expulsion is mandatory under law (see JKDA/JKEA).
2. The Board of Education delegates to the superintendent the authority to suspend a student, in accordance with C.R.S. 22-33-105, for an additional 10 school days, plus up to and including, an additional 10 school days necessary in order to present the matter to the

Board of Education for an expulsion hearing to occur, not to exceed 25 school days of suspension.

**Expulsion Authority**

1. The Board of Education may conduct a hearing at which the question of expulsion is determined.
2. Unless otherwise determined by the Board of Education, the Board delegates its power to expel students to the superintendent and/or to a designee who shall serve as a hearing officer. The Board may delegate to the superintendent or the hearing officer its authority to conduct the hearing required.
3. The decision of the superintendent may, upon the written request of the student or parent(s), be appealed to the Board of Education.

**Expulsion for Crimes of Violence and Unlawful Sexual Behavior**

When the district receives notification that a student at least 12 years of age but under 18 years of age has been charged in juvenile or district court with a crime of violence or unlawful sexual behavior as defined by state law, a determination shall be made whether the student has exhibited behavior that is detrimental to the safety, welfare and morals of other students or of school personnel in the school and whether educating the student in the school may disrupt the learning environment, provide a negative example for other students or create a dangerous and/or unsafe environment for students, teachers and other school personnel.

If a determination is made that the students should not be educated in the school, proceedings may be initiated for suspension or expulsion. Alternatively, the Board of Education or its designee may wait until the conclusion of the juvenile or criminal proceedings to consider the expulsion matter in which case an appropriate alternative education program or a home-based education program shall be established for the student pending resolution of the juvenile proceedings. The student shall not be permitted to return to the education program in his or her school until there has been a disposition of the charges. The time that the student spends in an alternative educational program shall not be considered a period of expulsion.

**Reporting Discipline Actions**

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

The principals of each school in the district shall submit annual written reports to the Board of Education concerning the learning environment in their schools each school year, as required by law. Each principal's report shall include (1) the total enrollment for the school; (2) the average daily attendance rate at the school; (3) dropout rates for grades seven through twelve, if such grades are taught at the school; (4) the number of violations of the conduct code broken down as to type of violation and type of discipline, as required by law, and noting which violations and discipline involved students with disabilities; and (5) the school's policy concerning bullying prevention and education.

The Board of Education shall annually compile the principals' reports from each school in the district and submit its compiled report to CDE, as required by law. The Board's compiled report shall also include the average size of each school in the district, calculated as the total number of students enrolled in the school divided by the number of full-time teachers in the school. The Board's compiled report shall also be made available to the general public, but

not in such a way as to disclose confidential personally identifiable student information in violation of state or federal law.

**Information to Parents**

Within five days of expelling a student, the district shall notify the student and his or her parent(s) of the student's opportunity to receive educational services for expelled students.

Upon request of a student or student's parent(s), the district shall provide any educational services that are deemed appropriate by the district for any student who is expelled from the district. The services provided shall be designed to provide a second chance for the student to succeed in achieving an education. The district shall determine the amount of credit the student shall receive toward graduation for the educational services provided.

The district is not required to provide additional educational services to any student who is suspended or expelled while receiving educational services. The district may provide services for a student who is expelled through agreements with local governmental agencies and managing state agencies, community-based non-profit organizations, with the Department of Military Affairs, and public or private institutions of higher learning to provide appropriate services such as tutoring, counseling, drug treatment, family preservation, alternative education or vocational education programs. If a student is expelled for the remainder of the school year and the student is not receiving educational services, the district will contact the student's parents at least once every 60 days until the beginning of the next school year to determine whether the student is receiving educational services. The district need not contact the student's parent(s) after the student is enrolled in another school district or in an independent or non-public school or if the student is committed to the Department of Human Services or is sentenced pursuant to the Children's Code contained in Article 2 of Title 19 of the Colorado Revised Statutes.

**Student's Return to School Following an Expulsion**

In accordance with state law, a student who has been expelled on grounds stated in C.R.S. 22-33-106 (1) (c) or (1) (d) and has been convicted or adjudicated as a juvenile delinquent, received a deferred judgement or placed in a diversion program for such conduct shall be prohibited from enrolling or re-enrolling in the same school in which the victim of the offense or member of the victim's immediate family is enrolled or employed. If the student cannot be placed in another school, the school may provide the expelled student with a schedule that avoids contact with the victim or the victim's immediate family members.

**LEGAL REFS.:**

- C.R.S. 22-32-109.1
- C.R.S. Title 22, Article 33
- C.R.S. 25-4-903 (1) [Immunizations]

**CROSS REFS.:**

- ECAC, Vandalism
- GBGB, Staff Personal Security and Safety
- JH, Student Absences
- JH-R, Student Absences
- JHD, Exclusions and Exemptions from School Attendance
- JK, Student Discipline and subcodes
- JKF, Systematic Exclusion
- KLG, Relations with Police Authorities
- KLG-R, Relations with Police Authorities

## **STUDENT SUSPENSION/EXPULSION**

*JKD/JKE-R-1 — Regulations for District Policy JKD/JKE-1*

Adopted: June 26, 1997

Revised: May 10, 2007

### **Suspension procedure**

1. A reasonable attempt will be made to give the student and parents timely oral or written notice of the charges against the student. Such charges must be one of those set forth as grounds for suspension and expulsion in state law.
2. Prior to the student's removal from school, the student will receive an informal hearing before the school principal or designee unless an emergency requires immediate removal of the student. In this case, an informal hearing will be held as soon as practicable after removal.
3. If a decision is made to suspend a student, the student will be so notified within one day of the suspension. The principal or designee will send a letter to the parent(s) and the student explaining the action taken, stating the days during which the suspension will be in effect and inviting the parent(s) to meet with the principal or designee for the purpose of discussing the matter.
4. A suspended student will be required to leave the school grounds immediately after the parent(s) and the principal or designee have determined the best way to transfer custody of the student to the parent(s).
5. Law enforcement authorities may be involved in removal of students in accordance with state law, when there are reasonable grounds to believe that the student has committed a delinquent act, by violation of any statute, county or municipal ordinance, or lawful order of the juvenile court.
6. Nothing contained in this regulation will prevent the principal or designee from arranging for parents, if necessary, to attend the meeting with the student at which the notice of charge is given and a hearing is held, provided that in the judgment of the principal or designee it is in the best interests of the school and the student to do so and that the meeting can be conveniently arranged.
7. A student and his or her parent(s) may appeal a suspension to the superintendent's designee. The designee will review the appeal and discuss the matter with the administrator who imposed the sanction and with the parent(s) and student. The superintendent's designee will inform the parent(s) of the designee's decision, which will be the final determination of the matter.
8. A suspended student will not be readmitted to a public school until the student's parent(s) has met with the principal or designee to discuss the nature of the suspension or if, in the judgment of the principal or designee, the parent(s) has substantially agreed to review the suspension. The student may be readmitted, however, if the suspending authority cannot contact the parent(s) or if the parent(s) repeatedly fails to appear for scheduled meetings.
9. The suspending authority will:
  - a. Make reasonable efforts to meet with the student's parent(s) during the period of suspension.
  - b. Not extend the period of suspension because of the failure of the suspending authority to meet with the parent(s).
  - c. Provide an opportunity for the student to make up schoolwork during the period of suspension to allow the student to reintegrate into the educational program following

suspension. The suspending authority may award appropriate credit for the assigned make-up work.

10. The principal has the right to assess damages to school property and collect for the Board a reasonable sum as established by the district security office. The principal is to report immediately, in full and in writing, to the community superintendent any serious infringement of property rights within the school that may come to his or her attention. In the case of a serious offense, depending on the type of violation, the following officials/individuals should be notified:
  - a. District security office
  - b. Business office
  - c. Law enforcement officers
  - d. Community Superintendent
  - e. Parent(s)
11. Any act requiring additional action beyond the building administrator's initial period of suspension is to be reported to the community superintendent with a complete report and, if appropriate, a recommendation for expulsion.
12. **Students with Disabilities:** Students with disabilities are subject to suspension on the same grounds as students without disabilities, except that such students are subject to the special considerations and procedures outlined in this regulation.

a. Students with disabilities who engage in misconduct may be removed from their current placement and be suspended, placed in an appropriate interim alternative educational setting, or placed in another setting for not more than 10 consecutive school days, and for additional periods of not more than 10 consecutive school days in that same school year for separate incidents of misconduct (as long as those removals do not constitute a change of placement under applicable law). In addition, a student with an IEP may be removed from his or her current placement and placed in an interim alternative setting chosen by the IEP team for not more than 45 consecutive school days if a hearing officer so orders, or if the student, while at school or at a school function: (1) carried or possessed a weapon; (2) knowingly possessed or used illegal drugs, or sold or solicited a controlled substances; or (3) inflicted serious bodily injury upon another person. Section 504 students may be disciplined for the use or possession of illegal drugs or alcohol to the same extent as students without disabilities.

b. If school personnel seek to remove a student with disabilities from his or her current placement for more than 10 consecutive school days (except as provided in the preceding paragraph), then the district must, no later than by the date the decision to take such disciplinary action is made, notify the parent of that decision and of all procedural safeguards accorded under applicable law, and, no later than 10 school days after the disciplinary decision is made, meet with the parent and relevant members of the student's IEP or 504 team (as determined by the district and the parent), to determine in accordance with applicable law if the student's conduct was a manifestation of his or her disability.

c. If the IEP or 504 team determines that the student's conduct was not a manifestation of the student's disability, then the district may proceed with discipline in the same manner as with a student without disabilities, except that a student with an IEP must continue to receive educational services as determined by the IEP team. In addition, as deemed appropriate by the IEP team, the student may

receive a functional behavioral assessment and behavioral intervention services and modifications designed to address the behavior for which the student was suspended, or, if behavioral intervention services and modifications are already in place, have them reviewed and modified as the IEP team deems necessary.

d. If the IEP or 504 team determines that the student's conduct was a manifestation of the student's disability, then the district must discontinue the suspension proceedings and return the student to the placement from which he or she was removed, unless otherwise agreed to by the parent. In addition, for students with IEPs, the IEP team must conduct a functional behavioral assessment and implement a behavioral intervention plan for the student, or, if a behavioral intervention plan was already in place, review and modify it as the team deems necessary.

#### **Expulsion procedure**

1. The student and parent(s) will be given written notice of the charges against him or her which must be one of those set forth as grounds for suspension and expulsion.
2. If the student and parent(s) wish to request a hearing regarding the expulsion, they must do so within the timeframe noted in the notice of hearing. Failure to request a hearing within the specified timeframe will result in a waiver of the right to a hearing
3. A student may be suspended pending an expulsion hearing, provided the regulations for suspension are followed.
4. The superintendent or hearing officer will preside over the hearing.
5. At the hearing the student may be represented by counsel. If a student is represented by counsel, the student or student's parents will notify the superintendent or designee of this fact by phone or in writing when an expulsion hearing is requested, and in no event later than three business days prior to the hearing date. Failure by the student or student's parents to provide timely notification of attorney representation will result in a continuance of the hearing and corresponding extension of the period of suspension to allow the district to obtain legal counsel. The student will be afforded the opportunity to confront and cross-examine witnesses called by the school administration. The student may call his or her own witnesses. The school administration may cross-examine the witnesses called by the student. A tape recording of the hearing shall be made. The hearing officer may limit the number of witnesses. Factors justifying the limitation of witnesses include:
  - a. Whether the witness saw the offense or possesses other relevant information regarding the offense.
  - b. Whether the witness' testimony is redundant or duplicates other testimony already given.
6. If a hearing officer conducts the hearing, the hearing officer will make specific factual findings and will promptly submit those findings and a recommendation regarding the expulsion to the superintendent.
7. The superintendent will review the hearing officer's factual findings and recommendation, or if the superintendent conducts the hearing, the superintendent will make factual findings. The superintendent will issue a written decision within five days after the hearing conducted by the superintendent or the hearing officer.
8. The student and his or her parents may appeal the superintendent's written decision to the Board of Education. The parents must request in writing an appeal to the Board of Education within five calendar days of receipt of the superintendent's decision. If the fifth day falls on a Saturday, Sunday, or holiday, the request for appeal must be made on the following day. The written request for appeal will state the grounds for appealing

the superintendent's written decision. The grounds for appeal must be one following: (a) the superintendent's decision is not supported by the facts established at the hearing; (b) the student was not afforded procedural due process; or (c) the student was expelled in violation of Board policy. The superintendent or designee may address matters raised in the request for appeal for inclusion in the record to be considered by the Board. Failure to request an appeal within five days of the receipt of the written decision will result in a waiver of the right to appeal and the superintendent's written decision will become final.

9. If an appeal is properly requested, the Board will review the record concerning the expulsion. The record includes notices and other documents concerning the suspension and expulsion, the transcript of the testimony, if any, the hearing exhibits, the findings and recommendation of the hearing officer or superintendent, the superintendent's written decision, and other documents concerning the expulsion. The student may be represented by counsel at the appeal. Representatives of the district and the parents may make brief statements to the Board, but no new evidence will be presented unless such evidence was not reasonably discoverable at the time of the hearing.
10. The Board will make a final determination regarding the expulsion of the student and will inform the student and his or her parent(s) of the right to judicial review.
11. If a student between the ages of seven and 16 is expelled for the remainder of the school year, the parent(s) of the student will be responsible for assuring compliance with the compulsory school attendance laws during the period of expulsion.
12. Upon expelling a student, the district will provide information to the student's parent(s) concerning the educational alternatives available to the student during the period of expulsion. If the parent(s) chooses to provide a home-based educational program for the student, the district will assist the parent(s) in obtaining appropriate curricula for the student.
13. **Students with Disabilities:** Students with disabilities are subject to expulsion on the same grounds as students without disabilities, except that such students are subject to the special considerations and procedures outlined in this regulation.
  - a. Before expelling a student with disabilities, the district must, no later than by the date the decision to take such disciplinary action is made, notify the parent of that decision and of all procedural safeguards accorded under applicable law, and, no later than 10 school days after the disciplinary decision is made, meet with the parent and relevant members of the student's IEP or 504 team (as determined by the district and the parent), to determine in accordance with applicable law if the student's conduct was a manifestation of his or her disability.
  - b. If the IEP or 504 team determines that the student's conduct was not a manifestation of the student's disability, then the district may proceed with expulsion in the same manner as with a student without disabilities, except that a student with an IEP must continue to receive educational services as determined by the IEP team. In addition, as deemed appropriate by the IEP team, the student may receive a functional behavioral assessment and behavioral intervention services and modifications designed to address the behavior for which the student was expelled, or, if behavioral intervention services and modifications are already in place, have them reviewed and modified as the IEP team deems necessary.
  - c. If the IEP or 504 team determines that the student's conduct was a manifestation of the student's disability, then the District must discontinue the expulsion

proceedings and return the student to the placement from which the student was removed, unless otherwise agreed to by the parent. In addition, for students with IEPs, the IEP team must conduct a functional behavioral assessment and implement a behavioral intervention plan for the student, or, if a behavioral intervention plan was already in place, review and modify it as the IEP team deems necessary.

#### **Readmittance to school after suspension or expulsion**

No student will be readmitted to school after a suspension or expulsion until a meeting has taken place between the principal or designee and the parent(s) to review the suspension or expulsion or until, in the discretion of the principal or designee, the parent(s) of the suspended or expelled student has substantially agreed to review the suspension or expulsion with the principal or designee; except that if the principal or designee cannot contact the parent(s) of such student or if such parent(s) repeatedly fail to appear for scheduled meetings, the principal or designee may readmit such student. The purpose of the readmittance conference will be to answer questions about the suspension or expulsion, clarify expectations regarding behavior, and consider alternatives or interventions to assist the student.

#### **Classroom Suspension Procedure**

1. A teacher may remove a student from the teacher's classroom for one day for causing a material and substantial disruption in the classroom through behavior that is initiated, willful and overt on the part of the student. Prior to any such removal, the teacher shall provide the student with the same level of due process to which the student would be entitled for suspensions from school of ten days or less, as set forth above and in Policy JKD/JKE-1.
2. The teacher initiating a one-day classroom suspension shall provide the principal or designee with assignments and other coursework to be completed by the student during the period of suspension, and shall contact the parent or legal guardian of the student as soon as possible after removal to request his or her attendance at a conference regarding the classroom suspension.
3. The teacher may develop a behavior plan approved by the principal or designee after a student's first one-day suspension during any grading term (quarter, trimester or semester) and shall develop a behavior plan approved by the principal after a student's second one-day classroom suspension during any grading term. The behavior plan shall indicate that the third incident during a grading period of material and substantial disruption in the classroom through behavior that is initiated, willful and overt on the part of the student after classroom suspensions for the first two incidents will result in the student's removal from the classroom for the remainder of the grading term. The teacher shall provide a copy of the behavior plan, as well as a copy of each revision thereto, to the student and the parent or legal guardian of the student.
4. For any student removed from the classroom for the remainder of a grading term as provided in paragraph 3 above, the teacher responsible for the removal shall provide the principal or designee with a lesson plan, assignments, other coursework, quizzes and exams for the remainder of the grading term so as to allow the student to complete and receive credit for the course.
5. Classroom suspensions shall not count as suspensions for the purposes of declaring a student as "habitually disruptive."

6. A teacher's ability to impose classroom suspension shall be subject to governing law and the district's policies and regulations concerning suspension/expulsion of students with disabilities.

#### **Crimes of Violence and Unlawful Sexual Behavior**

Whenever the district is notified that a student at least 12 years of age but under 18 years of age has been charged in juvenile court with an offense that would constitute a crime of violence or unlawful sexual behavior if committed by an adult or has been charged in district court with a crime of violence or unlawful sexual behavior, the Board of Education or its designee shall determine whether the student has exhibited behavior that is detrimental to the safety, welfare and morals of the other students or personnel at school, and whether educating the student at school may disrupt the learning environment, provide a negative example for other students, or create a dangerous and unsafe environment for students, teachers and other school personnel.

If it is determined that the student should not be educated at school, the district may institute procedures to suspend or expel the student. Alternatively, the district may delay consideration of the student's suspension or expulsion pending the outcome of the juvenile court or district court proceedings, during which time the district shall provide the student with an appropriate alternate education program. The time that a student spends in an alternate education program shall not be considered a period of suspension or expulsion.

As used in this policy, a "crime of violence" means any of the following crimes as defined by law committed, conspired to be committed or attempted to be committed by a student in connection with which the student used or possessed and threatened the use of a deadly weapon, or caused serious bodily injury or death to any other person except another participant: (1) any crime against an at-risk adult or at-risk juvenile; (2) murder; (3) first or second degree assault; (4) kidnapping; (5) sexual assault; (6) aggravated robbery; (7) first degree arson; (8) first degree burglary; (9) escape; or (10) criminal extortion. "Crime of violence" also means any felony unlawful sexual offense in which the student caused bodily injury to the victim or in which the student used threats, intimidation or force against the victim.

As used in this policy, "unlawful sexual behavior" means any of the following offenses as defined by law or criminal attempt, conspiracy, or solicitation to commit any of the following offenses: (1) sexual assault; (2) unlawful sexual contact; (3) sexual assault on a child; (4) sexual assault on a child by one in a position of trust; (5) enticement of a child; (6) incest or aggravated incest; (7) trafficking in children; (8) sexual exploitation of children; (9) procurement of a child for sexual exploitation; (10) indecent exposure; (11) soliciting for child prostitution; (12) pandering of a child; (13) procurement of a child; (14) keeping a place of child prostitution; (15) pimping of a child; (16) inducement of child prostitution; or (17) patronizing a prostituted child.

### **III. OTHER IMPORTANT POLICIES**

#### **COMPULSORY ATTENDANCE AGES**

*District Policy JEA*

Adopted: June 26, 1997

Revised: May 10, 2007

Every child who has attained the age of 6 years on or before August 1 and is under the age of 17 years is required to attend public school, with such exceptions as provided by law. This does not require a child who begins attending preschool or kindergarten at 5 or 6 years of age to advance to 1<sup>st</sup> grade in the following school year.

Every parent of a child who has attained the age of 6 years on or before August 1 and in under the age of 17 years shall ensure that the child attends public school unless the child is enrolled in an independent or parochial school or a non-public home-based educational program.

#### **LEGAL REFS.:**

C.R.S. 22-33-101 to 205 (school attendance law)

#### **UNLAWFUL DISCRIMINATION/EQUAL OPPORTUNITY**

*District Policy AC*

Adopted: June 26, 1997

Revised: January 28, 2008

The district is committed to the policy that no otherwise qualified person shall be excluded from participation in, be denied the benefits of, or be subjected to unlawful discrimination under any district program or activity on the basis of ethnicity or race, color, religion, national origin, ancestry, sex, sexual orientation, age, or disability.

Further, the district affirms the rights of all students and staff to be treated with respect and to be protected from intimidation, discrimination, physical harm and/or harassment based upon ethnicity, race, color, religion, national origin, ancestry, sex, sexual orientation, age, or disability.

Avoiding unlawful discrimination requires the collaborative responsibility of each administrator, supervisor, employee, and student to affirm in actions and deeds the intent and spirit of governing laws and regulations. Toward this end, the district will assist management, staff, and students to implement the district's good faith intent not to discriminate in the district's employment and educational opportunities.

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act ("ADA") provides that no qualified disabled person shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to, discrimination under any program or activity which receives or benefits from federal financial assistance. Persons protected under Section 504 and the ADA include students, applicants for employment, employees, parents of students, and members of the community who come within the definitions of "individual with a disability" under those statutes.

Students, public, parents, or staff members who believe they have been the subject of discrimination must report the incident immediately in accordance with district policies GBK, GBK-R, Staff Concerns, Complaints, and Grievances; GBAA, GBAA-R, Harassment of Employees; JI, Student Rights and Responsibilities; JBB, Harassment of Students; or KE, KE-R, Public/Parent Concerns and Complaints.

The following person has been designated to assist the District with its response to complaints of unlawful discrimination and harassment on the basis of gender and disability:

Title IX Compliance Officer and ADA/504 Coordinator  
Office of Employee Relations  
1829 Denver West Drive, Building 27  
P.O. Box 4001  
Golden, Colorado 80401-0001  
Phone: (303) 982-6544

**LEGAL REFS.:**

Title IX of the Education Amendments of 1972, 20 U.S.C. 1681  
Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. 621 et seq.  
Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 701 et seq.  
Americans with Disabilities Act, 42 U.S.C. 1201 et seq.  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d  
Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e  
C.R.S. 24-34-301 through 24-34-308  
C.R.S. 24-34-402

**CROSS REFS.:**

GBA, Open Hiring/Equal Employment Opportunity  
GBAA, Harassment of Employees  
GBK and GBK-R, Staff Concerns/Complaints/Grievances  
JB, Equal Educational Opportunities  
JBB, Harassment of Students  
JI, Student Rights and Responsibilities  
KE and KE-R, Public/Parent Concerns and Complaints

**STUDENT CONCERNS, COMPLAINTS AND GRIEVANCES**

*District Policy JII*

Adopted: June 26, 1997

Revised: January 28, 2008

It is the policy of the Board to honor a student's right of inquiry and to express matters of concern. Students shall be encouraged to settle their grievances at the local school level, however.

Complaints of discrimination or harassment of a student based upon the student's race, color, religion, national origin, ancestry, sex, sexual orientation, or disability should be referred to the local schools initially and addressed through the procedures provided by Policy JBB, Harassment of Students.

When a student feels that he or she has experienced unfair treatment from school staff members or needs further information to determine whether an injustice has been committed, the student may submit a request for an inquiry into the matter of concern. The request shall be submitted in writing to the teacher or counselor with most direct responsibility for the individual student's instruction or performance in the matters at issue. The letter shall state the injustice or unfairness experienced by the student with a clear description of the events that occurred including dates, locations, and the persons who were involved.

The responsible staff member shall have 20 school days to conduct the necessary inquiry and respond to the matters of concern. If the student has reason to believe that all appropriate information has not been considered or that a fair resolution to the grievance has not been achieved, an appeal, explaining its rationale, may be made in writing within 10 school days following the decision about which appeal is sought to the next level for further inquiry or review of the previous decision. Staff members responding to appeals must issue decisions in writing within 20 school days following receipt of the appeal.

In most cases, the potential adverse party (teacher or administrator) will not need to be present with the student. Rather, all versions of events shall be obtained separately at each level.

Such grievances shall not be considered due process hearings as that concept is applied in an expulsion case, for example. Accordingly, while students may have other "witnesses" give their perception of the facts and present documents as part of the investigation of the incident, they have no right to have an attorney present their case, to have a tape recording of the meeting, or to "cross examine" adverse witnesses.

The respective levels of review are as follows:

Level 1 - School teacher, counselor, or activity sponsor

Level 2 - School principal

Level 3 - Superintendent's designee (If the complaint concerns allegations of discriminatory treatment based upon handicap/disability, the request for review should be submitted to the Section 504/ADA Coordinator. If the complaint concerns allegations of discriminatory treatment or exclusion from participation based on gender, the request for review should be submitted to the Title IX Coordinator ).

**CROSSREFS:**

AC, Unlawful Discrimination/Equal Employment Opportunity JBB, Harassment of Students JK, Student Discipline KE and KE-R, Public/Parent Concerns and Complaints

**PUBLIC/PARENT CONCERNS AND COMPLAINTS**

*District Policy KE*

Adopted: June 26, 1997

Revised: October 23, 2001

The district believes that parent concerns, complaints or grievances should be addressed in a timely manner. This policy and its accompanying regulations shall be disseminated to parents on a yearly basis.

The district welcomes constructive criticism of the schools whenever it is motivated by a sincere desire to improve the quality of the educational or management program of the district. The district has confidence in its professional staff, however, and desires to support their actions in order that they are free from unnecessary, spiteful or destructive criticism and complaint. Therefore, whenever a complaint is made directly to the district or Board as a whole or to a Board member as an individual, it shall be referred to the school administration for study and reporting.

The administration shall develop procedures to ensure that complaints are received courteously and that responses are made in a proper and timely manner.

Complaints that cannot be resolved by the administration and citizen appeals of administrative decisions shall be handled by the Board through written correspondence.

**CROSS REFS:**

BEDH, Public Participation at Board Meetings  
JII, Student Concerns, Complaints and Grievances

**PUBLIC/PARENT CONCERNS AND COMPLAINTS**

*KE-R — Regulations for District Policy KE*

Adopted: June 26, 1997

Revised: January 28, 2008

**Public Complaints**

All complaints received in the superintendent's and/or designees' office will be referred to local schools. If complaints cannot be satisfactorily resolved at the school level within 20 working days of receipt of the complaint, then the complaint shall be referred to the community superintendent. The superintendent or chief academic officer shall ensure that the complaint is reviewed and that policy has been followed.

Complaints of discrimination or harassment of a student based upon the student's race, color, religion, national origin, ancestry, sex, sexual orientation, and disability should be referred to the local schools initially and addressed through the procedures provided by Policy JBB, Harassment of Students. As provided by that policy, the Section 504/ADA /Title IX coordinator will assist the community superintendent with his or her review of complaints involving alleged discrimination based upon handicap/disability or gender equity issues.

Those filing complainants about matters other than discrimination and harassment should seek review of lower level decisions by submitting a written request for appeal within 10 working days after receipt of the decision from which review is sought. The request for appeal should include copies of any prior written decisions and a statement of the complaint and reasons for appeal. Each official will issue a written decision within 20 working days of receipt of the appeal.

If the complainant is not satisfied with the resolution, the matter can be referred to the Board of Education. The Board, at its discretion, may accept or reject the matter for review. If the Board rejects the matter, the superintendent's decision will be final. If it accepts the matter, the Board's decision will be final.

**Parent Complaints**

Parents or guardians who have complaints about matters other than discrimination and harassment should contact the school principal or designee and discuss the grievance.

The school principal will arrange a conference as soon as practicable with the complainant and the teacher or other persons. The school principal shall have 20 school days to conduct the necessary inquiry and respond to matters of concern. Parents may present witness information and documents relating to their grievance to the principal for consideration.

If the complainant is dissatisfied with the decision of the principal or of subsequent decisions on appeal, appeals may be made to the following district officials, in the order listed, by submitting a written request for appeal within 10 working days after receipt of the decision from which review is sought. The request for appeal should include copies of all prior written decisions and a statement of the complaint and reasons for appeal. Each official will issue a written decision within 20 working days of receipt of the appeal.

1. Building-level principal
2. Community Superintendent
3. Superintendent and/or designee (only for review of process and/or policy).

The Board may accept or reject the matter for review. The Board reviews written appeals. If the Board rejects the matter, the superintendent's decision will be final. If it accepts the matter, the Board's decision will be final.

**CROSS REFS.:**

JBB, Harassment of Students  
AC, Unlawful Discrimination/Equal Opportunity

**ADMINISTERING MEDICINES TO STUDENTS**

*District Policy JLCD*

Adopted: June 26, 1997

Revised: May 10, 2007

School personnel shall not administer prescription, nonprescription or herbal medications to students unless appropriate administration cannot reasonably be accomplished outside of school hours and the parent or legal guardian is not available to administer the medication at school. Medication will be administered only by the area nurse consultant or school personnel to whom the area nurse consultant has delegated this function pursuant to the Nurse Practice Act.

A written Medication Permission Form must be signed and submitted by the parent or legal guardian for all prescription, nonprescription and herbal medications to be administered or self administered at school with the exception of acetaminophen administration as identified on the student information emergency card.

Verbal requests or permission to administer prescription, non prescription or herbal medication may be accepted only when made by the parent or legal guardian to the area nurse consultant, only when prior delivery of the required Medication Permission Form is not reasonably possible under the circumstances and only when the area nurse consultant can confirm the request is legitimately from the parent or legal guardian.

The parents or legal guardian shall be responsible for providing all medication to be administered to the student except acetaminophen (Tylenol or other brand names of acetaminophen) which may be provided by the schools.

School personnel will maintain the Medication Permission Form as a written record for all medications administered to students. The record will include the student's name, medication to be administered, dosage, date, the time administered, and the name of the school personnel assisting the student.

All medication administered by the school shall be stored in a secure, locked, clean container or cabinet.

#### **Prescription Medication**

Subject to the exceptions stated above, prescription medication will be administered to students only on the specific written request of the student's parent or legal guardian and with the written authorization of the student's prescribing physician as identified on the Medication Permission Form. If the student is to receive prescription medication for fourteen days or more, the student's prescribing physician must complete the district's medication agreement as identified on the Medication Permission Form. If the student is to receive prescription medication for less than fourteen days, the pharmacy labeled bottle is interpreted to be the physician's written authorization.

Prescription medication must be provided in an individual pharmacy labeled container. The label shall state the student's name, the name of the medication, how often it is to be administered, the dosage, when the medication is to be discontinued (where appropriate) and the name of the authorized prescribing physician.

An authorized prescribing physician may indicate a need for a student, twelve years of age or older, to carry his or her own medication due to unique circumstances. The parent must submit written permission on the Medication Permission Form for a student, twelve years of age or older, to self-carry a one day dose of medication as authorized by the student's prescribing physician. For any self-carry prescription medication, the prescribing physician shall complete the Medication Permission Form.

If the student abuses or misuses the privilege to self-carry the medication, the privilege may be withdrawn by the principal and area nurse consultant and the student may be subject to discipline as stated in the code of conduct.

#### **Nonprescription Medication**

Subject to exceptions above, nonprescription and herbal medication must be provided in a pharmaceutical labeled container and will be administered only in accordance with specific written instructions from the student's parent or legal guardian as identified on the Medication Permission Form. The exception to this standard is for administration of acetaminophen (Tylenol or other brand names of acetaminophen). Acetaminophen may be administered by school personnel on a limited basis under a district approved medication protocol. Parental consent for the use of acetaminophen shall be made a part of the student information emergency card upon registration of the student.

A student that is twelve years of age or older may carry a one day dose of nonprescription or herbal medication with written authorization by their parent or legal guardian on the Medication Permission Form.

If the student abuses or misuses the privilege to self-carry the nonprescription medication, the privilege may be withdrawn by the principal and area nurse consultant and the student may be subject to discipline as stated in the code of conduct.

School personnel shall not recommend or require the use of a psychotropic drug for any student. School personnel shall not require a test for a child's behavior without prior written permission from the child's parent(s) or guardian(s) and prior written disclosure as to the disposition of the results or testing. School personnel who have concerns about a child's behavior should discuss those concerns with the parent or legal guardian and may suggest that the parent or legal guardian speak with an appropriate health care professional about the child and the behavior concerns.

**Special Consideration for Asthma and Anaphylaxis**

A student with asthma, severe allergies, or a similar life-threatening condition may possess and self-administer medication in accordance with the Colorado Schoolchildren's Asthma and Anaphylaxis Health management Act. For more information, consult your area nurse.

**LEGAL REFS.:**

- C.R.S. 12-38-132 (Delegation of Nursing Tasks)
- C.R.S. 22-1-119 (Dispensing Drugs to Students—Liability)
- C.R.S. 22-1-119.5  
(Colorado Schoolchildren's Asthma and Anaphylaxis Health Management Act)
- 1CCR 301-68 (Colorado Schoolchildren's Asthma and Anaphylaxis Health Management Act)
- 6 CCR 1010-6, Ch. 9 (Health Service)

**ADMINISTERING MEDICINES TO STUDENTS**

*JLCD-R – Regulations for District Policy JLCD*

Adopted: June 26, 1997

Revised: June 4, 2007

The following requirements shall govern the administration of medications to students at school:

1. A written Medication Permission Form must be signed and submitted by the student's parent or legal guardian for all prescription, nonprescription and herbal medications to be administered or self administered at school with the exception of acetaminophen administration as identified on the student information card.
2. When appropriate, written orders from the student's physician must be on file in the school stating:
  - a) Student's name
  - b) Name of medication
  - c) Dosage
  - d) Purpose of the medication
  - e) Time of day medication is to be given
  - f) Anticipated number of days it needs to be given in school

- g) Possible side effects of medication
- 3. The medication should be brought to school by the parent or legal guardian and must be in a container appropriately labeled by the pharmacy or physician.
- 4. An individual record on the form provided by the district shall be kept of such prescription medications administered by school personnel. Such records shall be maintained for three years after the first medication was dispensed.
- 5. All medications will be stored in a clean, secure, locked cabinet or container.
- 6. Medication will be administered only by the area nurse consultant or school personnel to whom the area nurse has delegated this function pursuant to the Nurse Practice Act.
- 7. Schools may permit the area nurse consultant or the nurse's designee to administer acetaminophen (e.g. Tylenol) to a student upon written permission by the parent or legal guardian and as identified on the student information card. Each administration of acetaminophen shall be recorded on the form provided by the district. If a school determines not to implement this procedure to administer acetaminophen, the school shall notify parents at the beginning of each school year that it will not administer acetaminophen to students.
- 8. At the district's Outdoor Education Laboratory Schools, the nurse or nurse's designee may administer nonprescription medications upon written parental permission submitted on the form provided by the district for the Outdoor Education Laboratory Schools and in accordance with developed protocols.
- 9. If a parent sends medication to school requesting that the school administer it, and both written orders from the student's physician and written parental request regarding administration of the medication have not been provided, only the school nurse can call the parent or physician and take a verbal order over the phone. Both the written parental request and the physician's signed order must be submitted by the parent before the second dose may be given by the school.
- 10. Injections of medications may be administered only when a child has a condition that is potentially life threatening and administration of the injection cannot occur outside of school hours or away from extra curricular activities. The injection is ordered and specifically identified and planned for by the authorized prescribing physician. If the injection is so ordered as a life saving measure, two people in the school must be trained by the school nurse or other professional nurse to assume this responsibility.
- 11. It is the responsibility of the parent to obtain all unused medication from the school when the medication is discontinued, the school year ends, or the family transfers to another district. All medication left in the school under these circumstances will be disposed of by the school nurse or other professional nurse.

**Procedure for Dispensing Medications**

- 1. Identify student.
- 2. Identify medication.
  - a) Note student's name on bottle.
  - b) Note date of medication on bottle.
  - c) Note name of medication on bottle.
  - d) Note dosage of medication on bottle.
  - e) Note instructions on bottle for giving medication.
- 3. Compare information of medication bottle with medication record information.
- 4. Physician's order must be attached to medication record or noted to be in file. During periods of transition, an out of state physician may be recognized as the student's prescribing physician for a reasonable amount of time until the student's care is arranged with a Colorado-Licensed physician.

5. Check to see that the medication has not been given already for that day and time by another school person.
6. Administer the medication to the student as directed.
7. Record time the medication was given on student's medication record.
8. Return medication to locked medication cabinet.

## **STUDENT ORGANIZATIONS**

*District Policy JJA*

Adopted: June 26, 1997

Revised: June 7, 2001

It is the policy of the Board to permit student organizations in the secondary schools and to allow such organizations to meet on school premises during noninstructional time. The purpose of this policy is to establish criteria and procedures governing the operation of student organizations.

### **Membership**

Membership in all student organizations shall be open on a voluntary basis only to students currently enrolled in the school at which meetings are to be held. Student organizations may establish academic qualifications for membership when related to the purposes of the organization. No student shall be denied membership on account of his or her race, color, national origin, disability, sexual orientation or religion. Qualifications based on sex may be imposed only where necessary to preserve the health, safety, or welfare of students, or where sex is a bona fide and integral qualification for the activities of the organization.

### **Meetings of Student Organizations**

All student organizations shall have the right to meet on school premises during noninstructional time as designated by the school principal. No student organization shall be denied equal access to school facilities on the basis of the religious, political, philosophical, or other content of the speech at the meetings of such organization, except as otherwise provided in this policy.

The principal of each school shall develop guidelines and rules concerning the procedures for scheduling meetings of student organizations and setting the times and facilities which are available for such meetings. Meeting times shall be limited to activity periods and other noninstructional time set aside for this purpose before or after regular classroom hours. These guidelines and rules shall be made available to all students. Student organizations wishing to conduct meetings under this policy must make application to the principal for permission in accordance with district procedures.

### **Compliance with Law and Board Policy**

Student organizations shall not engage in any activity which is contrary to law, Board and/or district policy, or school rules; which disrupts or clearly threatens to disrupt the orderly operation of the school; or that would adversely affect the health, safety, or welfare of any students or staff members. Student organizations shall comply with the purchasing policy of the district and may not extend the credit of the district. Failure to comply with these provisions shall be grounds for revocation of the right to continue to conduct meetings under this policy.

**Curriculum-Related Student Organizations**

The Board believes that curriculum-related student organizations serve as an extension of the regular school curriculum. Their function is to enhance the participants' educational experience and supplement the course materials within the educational program of the schools. The activities of these organizations should bear a direct relationship to the regular curriculum. Student organizations meeting these criteria and approved by the principal will be deemed to be officially recognized, school-sponsored student organizations.

Curriculum-related student organizations shall be sponsored and supervised by one or more of the members of the school faculty, approved by the principal. Faculty sponsors shall participate in the supervision and direction of all activities of the organization and shall attend all meetings.

**Noncurriculum-Related Student Organizations**

Secondary school students shall be permitted to organize and conduct meetings of noncurriculum-related student organizations to pursue activities outside of the school curriculum, subject to the provisions of this policy.

Such organizations must be student initiated and directed, and school personnel (other than personnel serving in a supervisory capacity), parents, and any other persons who are not students enrolled in the school are prohibited from directing, controlling, conducting, or regularly attending the meetings of such organizations.

Noncurriculum-related student organizations shall not be deemed to be school sponsored or endorsed. The fact that such organizations are permitted to conduct meetings under this policy shall not constitute an expression of district support for the purposes of such organizations or the content of any of the meetings.

Noncurriculum-related student organizations shall not have a faculty sponsor. However, a member of the school's staff shall attend every meeting or activity of such organizations as a monitor for purposes of general supervision. The organization shall be responsible to assure the presence of a staff monitor for its meetings.

No school employee shall be compelled to attend a meeting of any student organization if the content of such meeting is contrary to the beliefs of that school employee. School employees present at any meeting of a noncurriculum-related student organizations that includes religious worship, prayer, or practice, or is identified as having a religious purpose shall attend in a nonparticipatory capacity only. Approval or disapproval of noncurriculum-related student organizations may not be based upon any specified threshold of numerical size.

No public funding or support shall be extended to any noncurriculum-related student organization other than the opportunity to meet on school premises on an equal basis as other student organizations.

**LEGAL REFS.:**  
20 U.S.C. §4071 *et seq.*  
C.R.S. 22-1-117  
C.R.S. 22-1-118

## **SCHOOL-RELATED STUDENT PUBLICATIONS**

*District Policy JICEA*

Adopted: June 26, 1997

Revised: June 7, 2001

The district seeks to create a stimulating learning climate through the active involvement of students in their education and the fostering of a spirit of inquiry with freedom to express their own views and to listen and to evaluate the opinions of others. A primary goal is to provide students with the opportunities to exercise their rights, and at the same time to assume the attendant responsibilities of citizenship.

### **School-Sponsored Student Publications**

The purpose of school-sponsored student publications is to provide students with experience in reporting, writing, editing, and understanding language and responsible journalism. School newspapers have the additional purpose of disseminating school-related information among the members of the school community.

With respect to school-related (curricular) student publications made generally available throughout one or more schools of the district, the Board encourages students to freely and creatively express their views subject to the limitations of this policy and state and federal law. To protect the rights of all members of the school community and to support the educational purposes of the schools, students are prohibited from publishing:

1. Expression which is obscene
2. Expression which is libelous, slanderous, or defamatory under state and federal law
3. Expression which is false as to any person who is not a public figure or involved in a matter of public concern
4. Expression which creates a clear and present danger of the commission of unlawful acts, the violation of lawful school regulations, the material and substantial disruption of the orderly operation of the school and school activities, or which violates the rights of others to privacy.
5. Expression which is in violation of lawful school regulations designed to control gangs

Student editors of school-sponsored publications shall be responsible for determining the news, opinion, and advertising content of their publications subject to the limitations of this policy and state and federal law. A "publications advisor" shall be assigned to supervise the production of school-sponsored publications and to teach and encourage free and responsible expression and professional standards of language and journalism.

In supervising the production of school-sponsored student publications, the publications advisor is responsible for reviewing all materials prior to publication. It is the responsibility of the publications advisor to determine that all expressions for publication are in accordance with this policy and state and federal law. In the event that any materials shall be brought into question, the materials shall be promptly presented to the principal of the school involved for resolution. Publication will be permitted unless the material is within one of the five standards described above.

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

Whenever a matter concerning the five prohibited matters of publication comes before the principal for resolution, an immediate hearing will be conducted. At the hearing, the student(s) involved, the publications advisor, and such other persons as the principal deems appropriate may be present. All parties involved shall have the opportunity to present their views; however, they shall not have the right to representation by legal counsel or to call or cross-examine witnesses. Thereafter, the principal shall notify all parties, in writing, of the decision. If the decision is that all or any part of the materials are inappropriate, the notice shall specify the standard which has been violated. The written notice of the decision made by the principal shall be provided within 24 hours from the time of the hearing.

If the decision of the principal is not acceptable to the parties involved, the decision may be appealed to the superintendent or designee. In case of such an appeal, the superintendent or designee shall respond in writing by the close of the school day following the request for the appeal. The decision of the superintendent or designee shall be final, subject to judicial review.

All school-sponsored publications shall contain a disclaimer that expression made by students in those publications is not an expression of Board policy and that the district and its employees are immune from any civil or criminal action based on any expression made or published by students.

**LEGAL REF.:** C.R.S. 22-1-120

## **STUDENT DISTRIBUTION OF NONCURRICULAR MATERIALS**

*District Policy JICEC*

Adopted: June 26, 1997

Revised: June 7, 2001

In order to ensure that the welfare and rights of the community are adequately protected, any non-school-sponsored publication which a student wishes to distribute on or in the immediate proximity of school grounds and buildings shall first be submitted to the school principal or designee for approval. The principal or designee may deny approval of any non-school-sponsored publication if he or she reasonably determines the publication to be an expression of the type prohibited under this section of the policy.

Students who distribute materials in violation of this policy and/or materials that cause a material and substantial disruption or damage to a person or property in the judgment of school officials shall be subject to appropriate disciplinary action.

Students shall have the right to distribute and possess non-school-sponsored student publications and other literature, such as newspapers, magazines, leaflets, and pamphlets, on school grounds and in its buildings subject to the limitations of this policy and state law.

To protect the correlative rights of all members of the school, any written material containing expression which is obscene, libelous, slanderous or defamatory shall be prohibited. Students shall not distribute any material which advocates commission of unlawful acts or violation of Board or district policy and/or regulations, which violates another person's right to privacy or which causes a material and substantial disruption of the orderly operation of the school.

The principal or designee must render a decision concerning the distribution of any material submitted to him or her by a student within two full school days of its submission. Any material which is not approved or disapproved within this period shall be deemed to be approved.

A student may, upon request, have an adverse decision rendered by the principal or designee referred to the superintendent or superintendent's designee for review. The superintendent or designee shall render a decision within three school days and shall affirm the principal's or designee's decision only if it is supported by a substantial factual basis. The student may thereafter appeal an adverse decision of the superintendent or designee to the Board for final consideration. The Board shall render a decision at its next regularly scheduled meeting.

**Time, Place and Manner of Distribution**

The time, place, and manner of student distribution of non-school-sponsored publications which meet the standards set forth in previous paragraphs of this policy may be reasonably regulated by the principal or designee, provided such regulations:

1. Are uniformly applied to all forms of non-school-sponsored publication
2. Do not prohibit distribution at times or places, either inside or outside the school building, for which no factual basis exists to conclude that any interference with school activities would occur.
3. Are specific as to places and times where distribution is authorized and/or prohibited
4. Do not inhibit any person's right to accept or reject any publications distributed in accordance with the rules.

**LEGAL REFS.:**

C.R.S. 22-1-120

C.R.S. 22-32-110 (1)(r)

**CROSS REFS.:**

JICEA, School-Related Student Publications

JK, Student Discipline, and subcodes

**STUDENT RECORDS/RELEASE OF INFORMATION ON STUDENTS**

*District Policy JRA/JRC*

Adopted: June 26, 1997

Revised: July 10, 2006

Student records are maintained in accordance with the Federal Family Educational Rights and Privacy Act of 1974, the Colorado Public Records Act and the Colorado Children's Code Records and Information Act. The purpose of this policy is to assure parents and students themselves, if they are eighteen years of age or older, that they may have access to their education records; to provide for the permissible sharing of information with law enforcement agencies as provided by law; and to ensure that each individual's right to privacy shall be protected by limiting the transferability of education records without consent of the parent or eligible student except as otherwise provided by law.

**Content and Custody of Records**

The district maintains education records regarding each student enrolled in its schools. Records for currently enrolled students are maintained at the students' home school. The principal shall be the official custodian of the records of students in his or her building. The

records of handicapped students are maintained at the home school. The person responsible for the maintenance of the records for these students shall be the area director. After graduation or withdrawal, all records shall be maintained at the student records center.

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

#### **Access To Records**

All requests for inspection and review of education records and requests for copies of such records, as well as disclosure of personally identifiable information except as provided by law, shall be maintained as a part of each individual's record. (Such request/information records shall be made available to the parent or eligible student upon request in accordance with the following requirements.):

1. A parent or guardian shall be able to inspect and review the student's education files. However, if a student is 18 years old or older, the student may inspect his or her own records and provide written consent for disclosure of education records and personally identifiable information therein. (Note: if an eligible student is a dependent for federal income tax purposes, parents/guardians are entitled, along with the student, to have access to a student's records.) Such student 18 years old or older shall be known as an eligible student. The exception is in the case of a severely or profoundly handicapped child who is legally determined to be incompetent to make such a decision and for whom legal guardianship is required beyond the age of 18. In those cases, the legally established guardian shall maintain the rights of privacy. This right also includes the right to an explanation and interpretation of these records and to obtain copies of such records. A legally emancipated student may inspect his or her own records and has the right to an explanation and interpretation of such records.
2. The building principal shall provide such personnel as is necessary to give explanations and interpretations of the student records when requested by parents or the eligible student.
3. In all cases where access to student records is requested, except as provided in this policy, a written request to see the files must be made by the parent or eligible student. The principal, upon receipt of the written request, shall provide access to inspect and review the records and set a date and time for such inspection and review.
4. The parent or eligible student shall examine the student's records in the presence of the principal and/or other person(s) designated by the principal. Only licensed/certificated personnel may be so designated.
5. The record itself shall not be taken from the school building. However, upon request, one copy of the record shall be provided within a reasonable time to the parent or eligible student at a reasonable cost.

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

Parents or eligible students who believe that information contained in the education records of a student is inaccurate or misleading or violates the privacy or other rights of the student may request that the district amend the records. Parents may make such requests of the building principal or by a formal hearing if the request has been denied by the principal. If the

principal denies the request to amend, the parent may make a written appeal to the superintendent.

If the first two steps have not resulted in a record change, then the parent or eligible student may request a formal hearing. A request for a formal hearing must be made in writing and addressed to the superintendent of schools. The hearing will be held in accordance with the following:

1. The hearing will be held within a reasonable time after receipt of the request. Notice of the date, place and time of the hearing will be forwarded to the parent or eligible student by certified mail.
2. The hearing will be conducted by a principal or higher administrative official as designated in writing by the superintendent. The official conducting the hearing shall not have a direct interest in the outcome of the hearing.
3. The parents or eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of their choice at their own expense, including an attorney.
4. The official designated above shall make a decision in writing following the conclusion of the hearing and shall notify the parent or eligible student of that decision by certified mail.
5. The decision of the official shall be based upon the evidence presented at the hearing and shall include a summary of the evidence and the reason for the decision.
6. The decision shall include a statement informing the parents or eligible student of their right to place in the student records a statement commenting upon the information in the records and/or setting forth any reason for disagreement. Any explanation placed in the records shall be maintained by the school district. If the student record is disclosed by the school to any other party, the explanation also shall be disclosed to that party.

**Disclosure Without Written Consent**

The school district will disclose personally identifiable information from student records without written consent of the parent or eligible student only to:

1. A school official within the district having a legitimate educational interest in the education record or the personally identifiable information contained therein. A “school official” for purposes of this policy is a person employed in the district as an administrator, supervisor, instructor or support staff member; a person serving on the Board of Education; a person or company with whom the district has contracted to perform specialized tasks (such as attorneys, consultants and health care providers); or a parent/guardian or student serving on an official committee or assisting another school official in performing his or her tasks.
  - a. For purposes of this policy, a school official is determined to have a “legitimate educational interest” if disclosure to the official is: (1) necessary for that official to perform appropriate tasks that are specified in his or her position description or by a contract agreement; (2) used within the context of official school district business and not for purposes extraneous to the official’s areas of responsibility; (3) relevant to the accomplishment of some task or to a determination about the student; and (4) consistent with the purposes for which the data are maintained.
2. Officials of another school or school system in which the student seeks or intends to enroll. In this case, disciplinary information may be included.

3. Authorities named in the Family Educational Rights and Privacy Act and accompanying federal regulations. These include: comptroller general of the United States, secretary of education, directors of other federal education agencies, assistant secretary of education, state educational authorities, and authorities investigating or providing emergency service involving the health and safety of students.
4. Law enforcement agencies who have legitimate interest in it with respect to students at risk, suspected or accused of criminal activity. "Law enforcement agencies" include any court with criminal jurisdiction and any agency of the state or of any county, city and county, home rule city and county, home rule city or county, city, town, territorial charter city, governing board of an institution of higher education, school district, special district, judicial district, or law enforcement authority which performs any activity directly relating to the detection or investigation of crime; the apprehension, pretrial release, post trial release, prosecution, correctional supervision, rehabilitation, evaluation, or treatment of accused persons or criminal offenders; or criminal identification activities or the collection, storage, or dissemination of arrest and criminal records information.
5. Legitimate organizations offering or administering financial aid to students, in accordance with FERPA, if the student has applied for or is receiving financial aid and if the information is necessary to a) determine student eligibility for the aid; b) determine the amount of aid; c) determine the conditions for the aid; or, d) enforce the terms and conditions of the aid.
6. Accrediting institutions.
7. Legitimate and recognized testing and research organizations as long as a) confidentiality is maintained; b) records are destroyed after they are no longer needed; and c) requests for student records under this exemption are reviewed by Assessment & Research to determine if request is subject to District Policy IGB.
8. Anyone if required by a court order or subpoena. The school shall inform the parent or eligible student prior to complying with the subpoena or court order.

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

**Disclosure to Military Recruiting Officers**

Name, address and home telephone number of secondary school students will be released to military recruiting officers unless a student, parent or guardian submits a written request that such information should not be released. Actual direct expenses incurred in furnishing this information shall be paid for by the requesting services.

**Disclosure to Other Parties**

The school shall not disclose student records to other individuals or parties without prior written consent of the parent or eligible student.

**Disclosure of Directory Information**

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

"Directory information" means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory

information includes but is not limited to the student's name, e-mail address, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, grade level, enrollment status, degrees and awards received, the most recent and previous education agency or institution attended by the student, and other similar information. Student telephone numbers and addresses will not be disclosed pursuant to this section.

"Directory information" also includes photographic, video or electronic images of students engaged in classroom and extracurricular programs, activities and other school functions maintained by the district. Photographic, video and electronic images of students may be shared with the public through the district's newsletters, reports, websites of other district communication unless refusal to designate such images as directory information is provided as set forth in this policy.

#### **Annual Notification of Rights**

The school district will notify the parents or eligible students of their rights pursuant to this policy at the beginning of each academic year. Copies of this policy or forms may be obtained from the office of the superintendent any time during normal business hours. Copies of this policy can also be obtained on the Jefferson county public schools home page on the internet ([jeffco.k12.co.us](http://jeffco.k12.co.us)). Complaints regarding violations of rights accorded parents and eligible students pursuant to the Family Rights and Privacy Act may be submitted to the local Office for Civil Rights of the Department of Education.

#### **Waivers**

A parent or eligible student may waive any or all rights protected by this policy. The waiver shall not be valid unless in writing, signed by the parent or eligible student, and specifying the records to be released, the reasons for such release, and to whom. Any waiver under this provision may be revoked at any time in writing.

#### **Applicability**

This policy applies to all district employees and authorized volunteers in all schools and departments throughout the district, including the district's Department of Safety and Security.

#### **LEGAL REFS.:**

20 U.S.C. 1232g (Family Educational Rights and Privacy Act of 1974)

34 C.F.R. 99.1 et seq. (regulations)

C.R.S. 19-1-301 et seq.

C.R.S. 22-32-109.1(6)

C.R.S. 22-32-109.3

C.R.S. 24-72-204 (3)(d) **CROSS REFS.:** JK, Student Discipline

## **EQUAL EDUCATIONAL OPPORTUNITIES**

*District Policy JB*

Adopted: June 26, 1997

Revised: June 7, 2001

The Board is committed to the policy that no otherwise qualified student shall be excluded from participation in, be denied the benefits of or be subject to discrimination under any district program or activity on the basis of race, color, religion, national origin, ancestry, sex, sexual orientation, age or disability.

Further, the Board affirms the rights of all students to be treated with respect and to be protected from intimidation, discrimination, physical harm and/or harassment. The Board affirms this right regardless of race, color, religion, national origin, ancestry, sex, sexual orientation or disability.

### **LEGAL REFS.:**

Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d

Title IX of the Education Amendments of 1972, 20 U.S.C. §1681

29 U.S.C. §701 et seq. (Section 504 of the Rehabilitation Act of 1973)

Equal Educational Opportunities Act of 1974, 20 U.S.C. §§1701-1758

### **CROSS REFS.:**

ACA, Unlawful Discrimination on the Basis of Sex

ACE, Unlawful Discrimination on the Basis of Handicap/Disability

JBB\*, Harassment of Students

JI, Student Rights and Responsibilities, and subcodes

JK, Student Discipline and subcodes

JKD/JKE, Suspension/Expulsion

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