



P.O. BOX 740 • EAGLE, COLORADO 81631 • (970) 328-6321 FAX: (970)328-1024

Policies Regarding Student Behavior

Eagle County Schools

Policies Regarding Student Behavior

In compliance with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973

Eagle County School District RE 50J does not unlawfully discriminate on the basis of race, color, national origin, sex or handicap in admissions, or access to, or treatment, or employment in, educational programs or activities which it operates.

Information regarding grievance procedures, for Title IX and Section 504, have been established for students, parents and employees. The following person has been identified as the designated employee to coordinate compliance activities for the district.

Specific employee complaints of alleged discrimination under **Section 504 (for Handicap)** or **Title IX (Sexual Discrimination)** should be referred to:

Executive Director of Student Services, Eagle County School District

PO Box 740
Eagle, Colorado 81631
(970) 328-6321

Specific student complaints of alleged discrimination under **Section 504 (for Handicap)** should be referred to:

Executive Director of Student Services, Eagle County School District

PO Box 740
Eagle, Colorado 81631
(970) 328-6321

Specific student complaints of alleged discrimination under **Title IX (Sexual Discrimination)** should be referred to the school principal.

Policies Regarding Student Behavior

Policy Name	Page Number
Student Conduct (JIC)	4
Tobacco Free Schools (ADC)	4
Equal Educational Opportunities (JB)	5
Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA) (JLDAC-E).....	5
Sex Offender Information (JLFF).....	6
Nondiscrimination/ Equal Opportunity (AC).....	6
Nondiscrimination/ Equal Opportunity/ Complaint and Compliance Process (AC-R).....	8
Nondiscrimination on the Basis of Sex/ compliance with Title IX (JBA)	11
Nondiscrimination on the Basis of Sex/ compliance Officer (JBA-E).....	11
Nondiscrimination on the Basis of Disability (ACE).....	11
Nondiscrimination on the Basis of Disability/ Complaint Process (ACE-R).....	12
Nondiscrimination on the Basis of Disability/ Compliance Officer (ACE-E/ACE-E-1).....	12
Nondiscrimination on the Basis of Disability/ Complaint Form (ACE-E-2).....	12
Sexual Harassment (JBB).....	13
Compulsory Attendance Age (JEA)	14
Student Absences and Excuses (JH).....	14
Truancy (JHB).....	16
Student Concerns, Complaints, and Grievances (JII)	17
Student Concerns, Complaints, and Grievances Regulation (JII-R).....	17
Student Dress Code (JICA).....	17
Student Use of Electronic Communication Devices (JICJ)	18
Concurrent Enrollment (IHCDA)	18
Student Conduct on Buses (JICC)	19
Student Conduct on Buses/ Bus Conduct Rules and Consequences (JICC-R)	20
Notice to Students and Parents/Guardians Regarding the Use of Video Recorders on School Buses (EEAEF*_E).....	20
Code of Conduct (JICDA).....	21
Health Education (IHAM-R)	22
Bullying Prevention and Education (JICDE).....	22
Student Organizations/ Open Forum (JJA-2).....	23
School Related Student Publications (JICEA).....	24
Student Distribution of Non-curricular Materials (JICEC).....	24
Violent and Aggressive Behavior (JICDD)	24
Secret Societies/ Gang Activity (JICF).....	25
Drug and Alcohol Use by Students (JICH).....	26
Drug and Alcohol Use by Students Regulation (JICH-R)	26
Weapons in School (JICI).....	28
Student Interrogations, Searches and Arrests (JIH)	29
Parking Lot Searches (JIHB).....	30
Student Discipline (JK).....	31
Student Discipline (JK-R).....	31
Discipline of Students with Disabilities (JK-2)	32
Disciplinary Removal from Classroom (JKBA).....	33
Grounds for Suspension/Expulsion (JKD/JKE-E).....	34
Use of Physical Intervention (JKA).....	35
Use of Physical Intervention & Restraint Regulation (JKA-R)	35
Immunization of Students (JLCB).....	38
Immunization of Students (JLCB-R).....	38
Administering Medicines to Students (JLCD).....	39
Students with Food Allergies (JLCDA).....	39
Medicaid Reimbursement (JLCG).....	40
Screening/Testing of Students and treatment of Mental Disorders (JLDAC).....	40
Student Fees, Fines and Charges (JQ)	42
Sharing of Student Records/ Information Between School Districts and State Agencies (JRCA)	44

Student Records/Release of Information on Students (JRA/JRC-E)	47
Student Records/Release of Information on Students/ Notification to Parents and Students of Rights Concerning School Records (JRA/JRC-E-1)	47
Internet Safety Plan Terms and Conditions for Use of the Eagle County School District RE50J Web, Email and Internet Services (JS-E)	49
Visitors to Schools (KI)	51

◆ **STUDENT CONDUCT (Policy JIC) – Revised July 1, 2011**

The district intends for its schools to help students achieve maximum development of individual knowledge, skills and competence and that they learn behavior patterns, which will enable them to be responsible, contributing members of society.

Board policy directs that the superintendent shall adopt a written student conduct and discipline code in accordance with state and federal law. The code shall be based upon the principle that every student is expected to follow accepted rules of conduct and to show respect for and to obey persons in authority. The code also shall emphasize that certain behavior, especially behavior that disrupts the classroom, is unacceptable and may result in disciplinary action. The code shall be enforced uniformly, fairly and consistently for all students.

All administrative policies and regulations containing the letters "JIC" in the file name shall be considered constituting the conduct section of the legally--required code.

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

The rules shall not infringe upon constitutionally protected rights, shall be clearly and specifically described, shall be printed in a handbook or some other publication made available to students and parents, and shall have an effective date subsequent to the dissemination of the published handbook.

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

In all instances, students shall be expected to conduct themselves in keeping with their level of maturity, acting with due regard for the supervisory authority vested by the Board in all district employees, the educational purpose underlying all school activities, the widely shared use of school property, and the rights and welfare of other students. All employees of the district shall be expected to share the responsibility for supervising the behavior of students and for seeing that they abide by the established rules of conduct.

◆ **TOBACCO FREE SCHOOLS (Policy ADC) – Revised July 1, 2011**

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

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

For purposes of this policy, the following definitions apply:

1. "School property" means all property owned, leased, rented or otherwise used or contracted for by a school including but not limited to the following:
 - a. All indoor facilities and interior portions of any building or other structure used for children under the age of 18 for instruction, educational or library services, routine health care, daycare or early childhood development services, as well as for administration, support services, maintenance or storage. The term does not apply to buildings used primarily as residences, (i.e., teacherages).
 - b. All school grounds over which the school exercises control including areas surrounding any building, playgrounds, athletic fields, recreation areas and parking areas.
 - c. All vehicles used by the district for transporting students, staff, visitors or other persons.
2. "Tobacco product" includes cigarettes, cigars, pipe tobacco, snuff, chewing tobacco and any other product that contains or is derived from tobacco and is intended to be ingested or inhaled by or applied to the skin of an individual. "Tobacco product" does not include

any product that has been approved by the appropriate federal agency as a tobacco use cessation product.

3. "Use" means lighting, chewing, smoking, ingesting or application of any tobacco product.

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

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

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

◆ . **EQUAL EDUCATION OPPORTUNITIES (Policy JB) – Revised August 9, 2016**

Every student of this school district shall have equal educational opportunities through programs offered in the school district regardless of race, color, ancestry, creed, sex, sexual orientation (which includes transgender), religion, national origin, marital status, disability or need for special education services.

This concept of equal educational opportunity shall guide the Board and staff in making decisions related to school district facilities, selection of educational materials, equipment, curriculum and regulations affecting students. Students with identified physical and mental impairments that constitute disabilities shall be provided with a free appropriate public education, consistent with the requirements of federal and state laws and regulations.

In order to ensure that district programs are in compliance with applicable laws and regulations, the Board directs the superintendent or designee(s) to periodically monitor the following areas:

1. Curriculum and materials - review curriculum guides, textbooks and supplemental materials for discriminatory bias.
2. Training - provide training for students and staff to identify and alleviate problems of discrimination.
3. Student access - review programs, activities and practices to ensure that all students have equal access and are not segregated except when permissible by law or regulation.
4. District support - ensure that district resources are equitably distributed among school programs including but not limited to staffing and compensation, facilities, equipment and related matters.
5. Student evaluation instruments - review tests, procedures and guidance and counseling materials for stereotyping and discrimination.
6. Discipline - review discipline records and any relevant data to ensure the equitable implementation and application of Board discipline policies.

◆ **NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA) (Policy JLDAC-E) – Revised July 1, 2011**

PPRA affords parents/guardians certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

1. Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey"), if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):
 - a. Political affiliations or beliefs of the student or student's parent/guardian.
 - b. Mental or psychological problems of the student or student's family.
 - c. Sex behavior or attitudes.
 - d. Illegal, anti-social, self-incriminating, or demeaning behavior.
 - e. Critical appraisals of others with whom respondents have close family relationships.
 - f. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers.
 - g. Religious practices, affiliations, or beliefs of the student or parents/guardians.

- h. Income, other than as required by law to determine program eligibility.
2. Receive notice and an opportunity to opt a student out of:
 - a. Any other protected information survey, regardless of funding.
 - b. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student.
 - c. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
 3. Inspect, upon request and before administration or use:
 - a. Protected information surveys of students.
 - b. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes.
 - c. Instructional material used as part of the educational curriculum.

These rights transfer from the parents/guardians to a student who is 18 years old or an emancipated minor (“eligible student”) under state law.

The district will develop and adopt policies, in consultation with parents/guardians, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.

The district will directly notify parents/guardians of these policies at least annually at the start of each school year and after any substantive changes. The district will also directly notify, such as through U.S. Mail or electronic mail, parents/guardians of students who are scheduled to participate in the specific activities or surveys noted above and will provide an opportunity for the parent/guardian to opt his or her child out of participation in the specific activity or survey. The district will make this notification to parents/guardians at the beginning of the school year if the district has identified the specific or approximate dates of the activities or surveys at that time.

For surveys and activities scheduled after the school year starts, parents/guardians will be provided reasonable notification of the planned activities and surveys listed below and are provided an opportunity to opt their child out of such activities and surveys. Parents/guardians will also be provided an opportunity to review any pertinent surveys.

Following is a list of the specific activities and surveys covered under this requirement:

1. Collection, disclosure, or use of personal information for marketing, sales or other distribution.
2. Administration of any protected information survey not funded in whole or in part by ED.
3. Any non-emergency, invasive physical examination or screening as described above.

Parents/guardians and eligible students who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
 U.S. Department of Education
 400 Maryland Avenue, SW
 Washington, D.C. 20202-5901

◆ **SEX OFFENDER INFORMATION (Policy JLFF) – Revised July 1, 2011**

At the beginning of each school year, the district shall provide written information to parents and eligible students identifying where and how members of the community may obtain information collected by law enforcement agencies related to registered sex offenders

◆ **NONDISCRIMINATION/ EQUAL OPPORTUNITY (Policy AC) – Revised August 9, 2016**

The Board is committed to providing a safe learning and work environment where all members of the school community are treated with dignity and respect. The schools in the district are subject to all federal and state laws and constitutional provisions prohibiting discrimination

on the basis of disability, race, creed, color, sex, sexual orientation, national origin, religion, ancestry or need for special education services. Accordingly, no otherwise qualified student, employee, applicant for employment or member of the public shall be excluded from participation in, be denied the benefits of, or be subjected to unlawful discrimination under any district program or activity on the basis of race, color, national origin, ancestry, creed, religion, sex (which includes marital status), sexual orientation (which includes transgender), disability or need for special education services. Discrimination against employees and applicants for employment based on age, genetic information and conditions related to pregnancy or childbirth is also prohibited in accordance with state and/or federal law.

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

In keeping with these statements, the following shall be objectives of this school district:

1. To promote the rights and responsibilities of all individuals as set forth in the state and federal constitutions, pertinent legislation and applicable judicial interpretations.
2. To encourage positive experiences in terms of human values for children and adults who have differing personal and family characteristics or who come from various socio-economic, racial and ethnic groups.
3. To consider carefully, in all decisions made which affect the schools, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
4. To utilize educational experiences to build each individual's pride in the community in which he or she lives.
5. To initiate a process of reviewing all policies and practices of this school district in order to achieve the objectives of this policy to the greatest extent possible.
6. To investigate and resolve promptly any complaints of unlawful discrimination and harassment.
7. To investigate and appropriately discipline staff and students found to be responsible for incidents of harassment or unlawful discrimination in violation of Board policy.

Annual notice

The district shall issue a written notice prior to the beginning of each school year that advises students, parents, employees and the general public that the educational programs, activities and employment opportunities offered by the district are offered without regard to race, color, sex (which includes marital status), sexual orientation (which includes transgender), religion, national origin, ancestry, creed, disability or need for special education services. With respect to employment practices, the district shall also issue written notice that it does not discriminate on the basis of age, genetic information or conditions related to pregnancy or childbirth. The announcement shall also include the name, address, email address and telephone number of the person designated to coordinate Title IX and Section 504 and ADA compliance activities.

The notice shall be disseminated to persons with limited English language skills in the person's own language. It shall also be made available to persons who are visually or hearing impaired.

The notice shall appear on a continuing basis in all district media containing general information, including: teachers' guides, school publications, the district's website, recruitment materials, application forms, vacancy announcements, student handbooks, school program notices, summer program newsletters and annual letters to parents.

Harassment is prohibited

Harassment based on a person's race, color, national origin, ancestry, creed, religion, sex (which includes marital status), sexual orientation (which includes transgender), disability or need for special education services is a form of discrimination prohibited by state and federal law. Preventing and remedying such harassment in schools is essential to ensure a nondiscriminatory, safe environment in which students can learn, employees can work and members of the public can access and receive the benefit of district facilities and programs. All such harassment, by district employees, students and third parties, is strictly prohibited.

All district employees and students share the responsibility to ensure that harassment does not occur at any district school, on any district property, at any district or school-sanctioned activity or event, or off school property when such conduct has a nexus to the school, or any district curricular or non-curricular activity or event.

For purposes of this policy, harassment is any unwelcome, hostile and offensive verbal, written or physical conduct based on or directed at a person's race, color, national origin, ancestry, creed, religion, sex, sexual orientation (which includes transgender), disability or need for special education services that: (1) results in physical, emotional or mental harm, or damage to property; (2) is sufficiently severe, persistent, or pervasive that it interferes with an individual's ability to participate in or benefit from an educational program or activity or creates an intimidating, hostile or threatening environment; or (3) substantially disrupts the orderly operation of the school. Board policy on sexual harassment will apply to complaints alleging sexual harassment.

Harassing conduct may take many forms, including but not limited to:

1. verbal acts and name-calling;

2. graphic depictions and written statements, which may include use of cell phones or the Internet;
3. other conduct that may be physically threatening, harmful or humiliating.

Reporting unlawful discrimination and harassment

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

Any employee, applicant for employment or member of the public who believes he or she has been a victim of unlawful discrimination or harassment, or who has witnessed such unlawful discrimination or harassment, shall file a complaint with either an immediate supervisor or the district's compliance officer.

If the individual alleged to have engaged in prohibited conduct is the person designated as the compliance officer, an alternate compliance officer shall be designated to investigate the matter in accordance with this policy's accompanying regulation.

District action

All district employees who witness unlawful discrimination or harassment shall take prompt and effective action to stop it, as prescribed by the district.

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

To the extent possible, all reports of unlawful discrimination or harassment will be kept confidential. Students or employees who knowingly file false complaints or give false statements in an investigation shall be subject to discipline, up to and including suspension/expulsion for students and termination of employment. No student, employee or member of the public shall be subject to adverse treatment in retaliation for any good faith report of harassment under this policy.

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

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

In cases involving potential criminal conduct, the compliance officer shall determine whether appropriate law enforcement officials should be notified.

Notice and training

To reduce unlawful discrimination and harassment and ensure a respectful school environment, the administration is responsible for providing notice of this policy to all district schools and departments. The policy and complaint process shall be referenced in student and employee handbooks and otherwise available to all students, staff and members of the public through electronic or hard-copy distribution.

Students and district employees shall receive periodic training related to recognizing and preventing unlawful discrimination and harassment. District employees shall receive additional training related to handling reports of unlawful discrimination and harassment. The training will include, but not be limited to:

- awareness of groups protected under state and federal law and/or targeted groups;
- how to recognize and react to unlawful discrimination and harassment; and
- proven harassment prevention strategies.

◆ NONDISCRIMINATION/ EQUAL OPPORTUNITY (COMPLAINT AND COMPLIANCE PROCESS)(Policy AC-R)

Revised July 1, 2011

The district shall respond to complaints of discrimination and/or harassment reported; take action in response when discrimination and/or harassment is discovered; impose appropriate sanctions on offenders in a case-by-case manner; and protect the privacy of all those involved in discrimination and/or harassment complaints to the extent practical and appropriate under the circumstances. These actions shall apply to the extent permitted by law or where personal safety is not an issue. Under certain circumstances, the complaint may be referred to law

enforcement for investigation.

The district has adopted the following procedures to promptly and fairly address concerns and complaints about discrimination and/or harassment. Complaints may be submitted informally or formally.

Definitions

The term “compliance officer” means an employee designated to act as such by the Board of Education. That individual shall be identified by name, address and telephone number. See exhibits ACE-E-1 and JBA-E. If the designated individual is not qualified or is unable to act as such the superintendent shall designate an administrator who shall serve until a successor is appointed by the Board.

The term “aggrieved individual” shall mean a student, the parents or guardians of a student under the age of 18 acting on behalf of a student, a student over the age of 18, an employee of the district, or member of the public who is directly affected by an alleged violation of district policies prohibiting discrimination or harassment.

Compliance officer’s duties

The compliance officer shall be responsible for conducting a confidential investigation and coordinating all complaint procedures and processes, whether the violation is alleged under Title II (discrimination based on disability), Title VI (discrimination based on race, color or national origin), Title IX (discrimination based on sex or marital status), Section 504 (discrimination based on disability) or under district policies prohibiting discrimination or harassment. The compliance officer’s duties shall include providing notice to students, parents/guardians of students, employees and the general public concerning the compliance process available, dissemination upon request of information concerning the forms and procedures for the filing of complaints, investigation of all complaints and coordination of the hearing procedures.

Complaint procedure

An aggrieved individual who believes he or she has been subject to harassment or discrimination in violation of law and district policy is encouraged to report the incident as provided in board policy. All reports received by teachers, counselors, principals or other district employees shall be forwarded to the compliance officer.

Any aggrieved individual may file, with the compliance officer, a complaint charging the district, another student or any school employee with a violation of Title II, Title VI, Title IX or Section 504 or with a violation of district policies prohibiting discrimination or harassment. The complaint shall be in writing and shall describe with reasonable specificity the nature of the complaint.

Upon receiving a complaint, the compliance officer shall confer with the aggrieved individual as soon as is reasonably possible in order to obtain a clear understanding of the basis of the complaint and to discuss what action the aggrieved individual is seeking.

At the initial meeting, the compliance officer shall explain the avenues for informal and formal action and provide a description of the complaint process. The compliance officer shall also explain that whether or not the individual files a formal complaint or otherwise requests action, the district is required by law to take steps to correct the harassment and/or discrimination and to prevent recurring harassment and/or discrimination or retaliation against anyone who makes a harassment report or participates in an investigation. The compliance officer shall also explain that any request for confidentiality shall be honored so long as doing so does not preclude the district from responding effectively to the harassment and preventing future harassment.

Following the initial meeting with the aggrieved individual, the compliance officer shall attempt to meet with the alleged party and his or her parents/guardians, if the alleged party is a student, in order to obtain a response to the reported harassment and/or discrimination. Such person(s) shall be informed only of those facts which, in the compliance officer’s judgment, are necessary to achieve a full and accurate disclosure of material facts or to obtain an informal resolution.

The compliance officer may consider the following types of information in determining whether unlawful harassment and/or discrimination occurred:

- a. statements by any witness to the alleged incident.
- b. evidence about the relative credibility of the parties involved.
- c. evidence relative to whether the alleged harasser has been found to have harassed and/or discriminated others.
- d. evidence of the aggrieved individual’s reaction or change in behavior following the alleged harassment and/or discrimination.
- e. evidence about whether the individual claiming harassment and/or discrimination took action to protest the conduct.
- f. evidence and witness statements or testimony presented by the parties involved.
- g. other contemporaneous evidence.

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

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

- a. the degree to which the conduct affected one or more students' education or one or more employee's work environment.
- b. the type, frequency and duration of the conduct.
- c. the identity of and relationship between the alleged harasser and/or discriminator and the aggrieved individual.
- d. the number of individuals involved as alleged harassers and as subjects of the harassment and/or discrimination.
- e. the age of the alleged harasser and/or discriminator and the aggrieved individual.
- f. the size of the school, location of the incident and context in which it occurred.
- g. other incidents at the school.

The compliance officer shall determine whether the matter should proceed formally or informally. At any time, the aggrieved individual may request an end to an informal process and begin the formal compliance process.

On the basis of the compliance officer's investigation and if the aggrieved individual requests that the matter be resolved in an informal manner and the compliance officer agrees that the matter is suitable for such resolution, the compliance officer may attempt to resolve the matter informally.

The compliance officer shall prepare a written report containing findings and recommendations, as appropriate, to the superintendent. The compliance officer's report shall be advisory and shall not bind the superintendent or the district to any particular course of action or remedial measure. However, the report may be used by the superintendent or other district administration officials as a basis for disciplinary or other appropriate action.

Formal complaint process

If the aggrieved individual requests a formal complaint process, the compliance officer shall transfer the record within five school days to the superintendent or designee for formal resolution and so notify the parties by certified mail.

After reviewing the record made by the compliance officer, the superintendent or designee may gather additional evidence necessary to decide the case and/or determine that a hearing is necessary. At such time the matter should be referred to an administrative hearing officer for further fact-finding. The hearing officer will be an administrative employee of the district designated by the superintendent.

The hearing shall be informal. The hearing officer shall provide the affected person a written statement of charges, evidence and reasons supporting the proposed adverse action. A student shall be entitled to be represented by his/her parent or by an attorney. An employee shall be entitled to be represented by an attorney or other representative of his/her choice. The complainant shall appear at the hearing and shall be entitled to present testimony and other evidence. Formal rules of evidence shall not apply. The compliance officer or designee may represent the district at the hearing and shall likewise be entitled to present testimony and other evidence. The hearing shall be closed to the public. The hearing officer shall make a recommendation to the superintendent based upon evidence presented at the administrative hearing.

Within 10 school days of receiving the record from the hearing, the superintendent or designee shall determine any sanctions or other action deemed appropriate, including recommendations to the Board for disciplinary or other action.

District action

Whether or not a formal complaint is filed, the district shall take appropriate action to end the harassment and/or discrimination, to make the victim whole by restoring lost educational or employment opportunities, to prevent harassment and/or discrimination from recurring and to prevent retaliation against anyone that reports harassment and/or discrimination or participates in a harassment and/or discrimination investigation.

All parties, including the parents/guardians of all students involved, shall be notified by the superintendent of the final outcome of the investigation and all steps taken by the district. If disciplinary action is recommended for a student or employee, that action shall proceed in accordance with applicable district policy. Remedial and/or disciplinary actions shall include measures designed to stop the harassment and/or discrimination, correct its negative impact on the affected individual, and ensure that the harassment and/or discrimination does not recur.

Nothing contained herein shall be interpreted to confer upon any person the right to a hearing independent of a Board policy, administrative procedure, statute, rule, regulation or agreement expressly conferring such right. This process shall apply, unless the context otherwise

requires and unless the requirements of another policy, procedure, statute, rule, regulation or agreement expressly contradicts with this process, in which event the terms of the contrary policy, procedure, law, rule, regulation or agreement shall govern.

◆ **NONDISCRIMINATION ON THE BASIS OF SEX (COMPLIANCE WITH TITLE IX) (Policy JBA) Revised July 1, 2011**

1. **Designation of responsible employee**

The district has designated an individual as the responsible employee to coordinate district compliance with Title IX.

The designee, the district's Title IX compliance officer, shall be responsible for continuing surveillance of district educational programs and activities with regard to compliance with Title IX and its administrative regulations, including the development of all necessary procedures and regulations.

The Title IX compliance officer shall annually notify all students of the district regarding the district policy and grievance procedure and of the name, office, address and telephone number of the Title IX compliance officer. Notification shall be by posting and/or other means sufficient to reasonably advise all students.

2. **Grievance procedure**

All students shall have a ready means of resolving any claim of discrimination on the basis of sex in the educational programs or activities of the district. The complaint and compliance process is set forth in AC-R. All complaints regarding sexual discrimination and/or harassment shall be filed with the Title IX compliance officer. See JBA-E.

A complaint may also be made to the Office of Civil Rights at any time before or during the district's grievance procedures at: The Office of Civil Rights, U.S. Department of Education, Region VIII, Federal Office Building, 1244 North Speer Boulevard, Suite 310, Denver, Colorado, 80204.

3. **Dissemination of policy**

The superintendent shall notify applicants for admission, students, parents/guardians sources of referral of applicants for employment, employees, and applicants for employment that the Eagle County School District does not discriminate on the basis of sex in the educational programs or activities which it operates, and that it is required by Title IX and its administrative regulations not to discriminate in such a manner. The notification shall be made in the form and manner required by law or regulation. See AC-E.

◆ **NONDISCRIMINATION ON THE BASIS OF SEX (COMPLIANCE OFFICER) (Policy JBA-E) – Revised July 1, 2011**

The district's Title IX compliance officer is:

Executive Director of Student Services
P.O. Box 740
948 Chambers Ave.
Eagle, Colorado 81631
970-328-6321

◆ **NONDISCRIMINATION ON THE BASIS OF DISABILITY (Policy ACE) – Revised July 1, 2011**

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

The Board of Education shall designate an individual as the responsible employee to coordinate district compliance with Section 504 and the ADA.

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

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

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

◆ **NONDISCRIMINATION ON THE BASIS OF DISABILITY (COMPLAINT PROCESS) (Policy ACE-R)**
Revised July 1, 2011

All students, employees and members of the public shall have a ready means of resolving any claims of discrimination on the basis of disability in the district's programs or activities. Persons may file a complaint of discrimination on the basis of disability in accordance with this procedure or may file a complaint in accordance with the district's nondiscrimination/equal opportunity complaint process. See AC-R.

A complaint may also be filed with the United States Department of Education, Office for Civil Rights ("OCR") at any time before or during the district's complaint procedures. Contact information for the regional OCR office is: The Office for Civil Rights, U.S. Department of Education, 1244 Speer Boulevard, Suite 310, Denver, Colorado, 80204-3582.

If a student, employee or member of the public believes that there has been a violation of Section 504 or the ADA, he or she shall mail or deliver to the Section 504 and ADA Compliance Officer ("compliance officer") a written statement setting out the alleged violations in specific terms, describing the incident or activity, the individuals involved, and the dates, times and locations. See ACE-E-2.

The compliance officer shall conduct an investigation as necessary to determine the facts involved and shall provide the individual filing the written statement with an opportunity to discuss the matter personally, if requested. The compliance officer shall report to the superintendent his or her findings and recommendations regarding resolution of the matter. Within 10 school days of receiving the findings and recommendation from the compliance officer, the superintendent or designee shall determine any sanctions or other action deemed appropriate, including recommendations to the Board for disciplinary or other action.

If the student, employee or member of the public is not satisfied with the handling of the matter by the superintendent, he or she may appear before the Board of Education and present the matter directly to the Board. Any action taken by the Board shall be final.

◆ **NONDISCRIMINATION ON THE BASIS OF DISABILITY (COMPLIANCE OFFICER (Policy ACE-E/ACE-E-1)**
Revised July 1, 2011

The district's Section 504 and ADA compliance officer is:

Executive Director of Student Services
P.O. Box 740
948 Chambers Ave.
Eagle, Colorado 81631
970-328-6321

◆ **NONDISCRIMINATION ON THE BASIS OF DISABILITY (COMPLAINT FORM (Policy ACE-E-2) Revised July 1, 2011**

Date: _____

Name of complainant: _____

School: _____

Address: _____

Phone: _____

Summary of alleged discrimination:

Name(s) of individual(s) committing alleged discrimination:

Date(s) alleged discrimination occurred: _____

Name(s) of witness(es) to alleged discrimination:

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

Your suggestions regarding resolving the complaint:

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

Signature of complainant

Date

Signature of person receiving complaint

Date

♦ **SEXUAL HARASSMENT (Policy JBB) – Revised July 1, 2011**

The district recognizes that sexual harassment can interfere with a student’s academic performance and emotional and physical well-being and that preventing and remedying sexual harassment in schools is essential to ensure a nondiscriminatory, safe environment in which students can learn. In addition, sexual harassment is recognized as a form of sex discrimination and thus is a violation of the laws, which prohibit sex discrimination.

District’s commitment

The district is committed to maintaining a learning environment that is free from sexual harassment. It shall be a violation of this policy for any district employee or student to harass a student through conduct or communications of a sexual nature or to retaliate against anyone who reports sexual harassment or participates in a harassment investigation.

The district shall investigate all indications, informal reports and formal grievances of sexual harassment by students, staff or third parties and appropriate corrective action shall be taken. Corrective action includes taking necessary steps to end the harassment, to prevent harassment from recurring and to prevent retaliation against anyone who reports sexual harassment or participates in a harassment investigation.

Sexual harassment prohibited

Unwelcome sexual advances, requests for sexual favors, or other verbal, non-verbal or physical conduct of a sexual nature may constitute sexual harassment, even if the harasser and the student being harassed are the same sex and whether or not the student resists or submits to the harasser when:

1. Submission to the conduct is made either explicitly or implicitly a term or condition of a student's participation in an education program activity.
2. Submission to or rejection of such conduct by a student is used as a basis for educational decisions affecting the student.
3. Such conduct is sufficiently severe, persistent or pervasive such that it limits a student's ability to participate in or benefit from an education program or activity or it creates a hostile or abusive educational environment. For a one-time incident to rise to the level of harassment, it must be severe.

Any conduct of a sexual nature directed by a student toward a staff member or by a staff member to a student is presumed to be unwelcome and shall constitute sexual harassment.

Acts of verbal or physical aggression, intimidation or hostility based on sex, but not involving conduct of a sexual nature, may also constitute sexual harassment. Sexual harassment as defined above may include, but is not limited to:

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

Legitimate non-sexual touching or other non-sexual conduct is not sexual harassment.

Reporting, investigation and sanctions

Sexual harassment cannot be investigated or corrected by the district until the district is made aware of such harassment. Therefore, students are encouraged to report all incidences of sexual harassment to a teacher, counselor or principal in their school building and file a formal complaint through the complaint process. All reports and indications from students, district employees and third- parties shall be forwarded to the compliance officer.

If the alleged harasser is the person designated as the compliance officer, an alternate compliance officer will be appointed by the superintendent to investigate the matter.

All matters involving sexual harassment reports shall remain confidential to the extent possible as long as doing so does not preclude the district from responding effectively to the harassment or preventing future harassment. Filing of a complaint or otherwise reporting sexual harassment shall not reflect upon the individual's status or affect grades.

In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred shall be investigated.

Any student found to have engaged in sexual harassment shall be subject to discipline, including, but not limited to, being placed under a remedial discipline plan, suspension or expulsion, subject to applicable procedural requirements and in accordance with applicable law. Conduct of a sexual nature directed toward students shall, in appropriate circumstances, be reported as child abuse for investigation by appropriate authorities in conformity with policy JLF.

◆ **COMPULSORY ATTENDANCE AGE (Policy JEA) – Revised July 1, 2011**

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

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

◆ **STUDENT ABSENCES AND EXCUSES (Policy JH) – Revised July 1, 2015**

Attendance is a key factor in student achievement. Thus, any absence from school represents an educational loss to the student. It is recognized, however, that some absences are unavoidable. Therefore, this policy is designed to minimize student absenteeism while

providing students with the opportunity to make up schoolwork missed due to absences that can reasonably be considered unavoidable.

Student attendance is positively influenced by school and classroom climate and by a high quality of instruction that is supportive and conducive to learning. The parents and guardians of the district must be supportive of the educational program and must work in cooperation with school officials if maximum attendance is to be expected.

According to state law, it is the obligation of every parent to ensure that every child under his or her care and supervision receives adequate education and training and, if of compulsory attendance age, attends school.

Continuity in the learning process and social adaptation is seriously disrupted by excessive absences. In most situations, the work missed cannot be made up adequately. Students who have good attendance generally achieve higher grades, enjoy school more and are more employable after leaving school. For at least these reasons, a student must satisfy two basic requirements in order to earn full class credit: (1) satisfy all academic requirements and (2) exhibit good attendance habits as stated in this policy.

School administrators shall be encouraged to schedule activities in a manner that is the least disruptive to the day-to-day academic program.

Excused absences

The following shall be considered excused absences:

1. A student who is temporarily ill or injured or whose absence is approved by the administrator of the school of attendance on a prearranged basis. Prearranged absences shall be approved for appointments or circumstances of a *serious nature only with five school days notice*, which cannot be taken care of outside of school hours. A medical emergency would be an exception to the requirement of the five-day notice.
2. A student who is absent for an extended period due to physical, mental or emotional disability.
3. A student who is pursuing a work-study program under the supervision of the school.
4. A student who is attending any school-sponsored activity or activities of an educational nature with advance approval by the administration.
5. A student who is suspended or expelled.

As applicable, the district may require suitable proof regarding the above exceptions, including written statements from medical sources.

If a student is in out-of-home placement (as that term is defined by C.R.S. 22-32-138(1)(e)), absences due to court appearances and participation in court-ordered activities shall be excused. The student's assigned social worker shall verify the student's absence was for a court appearance or court-ordered activity.

Unexcused absences

An unexcused absence is defined as an absence that is not covered by one of the foregoing exceptions. Each unexcused absence shall be entered on the student's record. The parents/guardians of the student receiving an unexcused absence shall be notified orally, electronically or in writing by the district of the unexcused absence.

In accordance with law, the district may impose academic appropriate penalties that relate directly to classes missed while unexcused.

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

Students and parents/guardians may petition the Executive Director of Student Services for exceptions to this policy or the accompanying regulations provided that no exception shall be sustained if the student fails to abide by all requirements imposed by the district as conditions for granting any such exception.

The maximum number of unexcused absences a student may incur before judicial proceedings are initiated to enforce compulsory attendance is ten days during any calendar year or school year.

Make-up work

Make-up work shall be provided for any class in which a student has an excused absence or has an unexcused absence resulting from suspension unless determined otherwise by the building administrator or unless the absence is due to the student's expulsion from school. It is the responsibility of the student to pick up any make-up assignments permitted on the day he or she returns to class.

There shall be one day allowed for make-up for each day of absence. The maximum number of days students will have to complete make-up work will be ten days (e.g. students who have been absent for three days will have three school days during which to make up the work missed; students who have been absent for fifteen days will have ten school days during which to make up the work missed).

Makeup work shall be allowed following an unexcused absence or following a student's suspension from school with the goal of providing the student an opportunity to keep up with the class and an incentive to attend school.

Although the school staff is obligated to facilitate the make-up process, the prime responsibility for assuring that make-up work happens in a timely and quality manner rests with the student/parent/guardian. Make-up work may be provided upon the student's return. During the time of suspension, make-up work shall be provided which shall receive up to 100% academic credit. It should also be understood that there are things that happen in a classroom that are experiential and cannot be made up. Students and parents/guardians must accept the natural consequences of missing classes.

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

Tardiness

Tardiness is defined as the occasion when students are not in their assigned classrooms when a class bell rings but when the student arrives in the class during the first half of the class. If the student arrives after the first 5 minutes of the class period, the student will be counted absent.

Because of the disruptive nature of tardiness and the detrimental effect upon the rights of the non-tardy student to uninterrupted learning, appropriate penalties may be imposed for excessive tardiness. Parents/guardians shall be notified of all penalties regarding tardiness.

In an unavoidable situation, a student detained by another teacher or administrator shall not be considered tardy provided that the teacher or administrator gives the student a pass to enter his or her next class. Teachers shall honor passes presented in accordance with this policy.

In the application of this policy, the student will be afforded all due process rights as defined in the district's discipline policy.

It shall be the responsibility of the principal to communicate the contents of this policy to students. Further, all middle school and high school students will receive a written copy or summary of this policy.

The provisions of this policy shall be applicable to all students in the district, including those above and below the age for compulsory attendance as required by law.

◆ TRUANCY (Policy JHB) – Revised July 1, 2011

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

In order to reduce the incidents of truancy, parents/guardians of all students shall be notified in writing at the beginning of each school year of their obligation to ensure that all children of compulsory attendance age attend school. Parents/guardians 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/guardian is aware of the absence, school personnel or volunteers under the direction of school personnel shall make a reasonable effort to notify the parent/guardian by telephone.

A plan shall be developed for a student who is at risk of being declared habitually truant with the goal of assisting the child to remain in school. The plan shall also include strategies to address the reasons for the truancy. When practicable, the student's 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 student's truancy.

In accordance with law, the district may impose appropriate penalties that relate directly to classes missed while truant.

The administration shall develop regulations to implement appropriate penalties for truancy.

◆ **STUDENT CONCERNS, COMPLAINTS, AND GRIEVANCES (Policy JII) – Revised August 9, 2016**

Decisions made by school personnel which students believe are unfair or in violation of pertinent Board policies or individual school rules may be appealed to the principal or a designated representative or by following the specific appeal process created for particular complaints.

Grievance procedures are available for students to receive prompt and equitable resolution of allegations of discriminatory actions on the basis of race, color, national origin, ancestry, creed, sex, sexual orientation (which includes transgender), marital status, religion, disability or need for special education services, which students are encouraged to report.

◆ **STUDENT CONCERNS, COMPLAINTS, AND GRIEVANCES (Policy JII-R) – Revised August 9, 2016**

For the purposes of this procedure, the following categories of complaints are established:

1. Conduct of an individual
2. Departmental procedures
3. Building procedures
4. Board policies and regulations
5. Curricular programs
6. Unlawful discrimination
7. All others

Complaints must be initiated in writing, dated and signed by the complainant. Forms for this purpose are available in the principals' offices. Completed forms must be filed with the appropriate persons as follows:

1. Conduct of an individual: immediate supervisor of the individual. The building principal is the supervisor of the teachers; the appropriate director is the supervisor of the principal or support staff members.
2. Departmental procedures: Building principal.
3. Building procedures: Building principal.
4. Board policies and regulations: Appropriate director.
5. Curricular programs: Appropriate director.
6. Unlawful discrimination: see Policies [AC](#), [JB](#), and [JBB](#).
7. All others: Building principal.

When a complaint is filed in writing, a conference will be held with the complainant within five school days. A written response will be given to the complainant within 10 school days following the conference.

If the complaint is not resolved to the satisfaction of the student, a written appeal may be submitted within 10 school days in accordance with the appeal procedures.

Appeals must be made in the following order: building principal, appropriate director, superintendent, Board of Education.

When an appeal has been filed in writing, a conference will be held with all parties involved within 10 school days. A written response will be given to the complainant within 10 school days following the conference.

If the appeal should reach the level of the Board of Education, a meeting with the Board will be scheduled within 20 school days after a written appeal has been filed. A written response from the Board will be given to the complainant within 10 school days following the conference.

◆ **STUDENT DRESS CODE (Policy JICA) – Revised July 1, 2011**

A safe and disciplined learning environment is essential to a quality educational program. District-wide standards on student attire are intended to help students concentrate on schoolwork, reduce discipline problems and improve school order and safety. Administrators recognize that students have a right to express themselves through dress and personal appearance; however, students shall not wear apparel that is deemed disruptive or potentially disruptive to the classroom environment or to the maintenance of a safe and orderly school.

Any student deemed in violation of the dress code shall be required to change into appropriate clothing or make arrangements to have appropriate clothing brought to school immediately. In this case, there shall be no further consequence.

Expectations for student dress

- a. Clothing shall be neat and clean.
- b. Shoes must be worn at all times.
- c. Acceptable clothing, paraphernalia, grooming, jewelry, hair coloring, accessories, or body adornments are those that do not:
 - Bare or expose traditionally private parts of the body including, but not limited to, the stomach, buttocks, back and breasts
 - Refer to drugs, tobacco, alcohol, or weapons
 - Are of a sexual nature
 - By virtue of color, arrangement, trademark, or other attribute denote membership in gangs which advocate drug use, violence, or disruptive behavior
 - Are obscene, profane, vulgar, lewd, or legally libelous
 - Threaten the safety or welfare of any person
 - Promote any activity prohibited by the student code of conduct
 - Otherwise disrupt the teaching-learning process

Exceptions

1. Appropriate athletic clothing may be worn in physical education classes. Clothing normally worn when participating in school-sponsored extracurricular or sports activities (such as cheerleading uniforms and the like) may be worn to school when approved by the sponsor or coach.
2. Building principals, in conjunction with the school accountability committee, may develop and adopt school-specific dress codes that are consistent with this policy.
3. The district reserves the right to restrict the activity of any student around equipment or machinery or in any other situations where the student's health or safety is directly related to the manner of dress.

◆ **STUDENT USE OF ELECTRONIC COMMUNICATION DEVICES (Policy JICJ) – Revised July 1, 2011**

The Board of Education recognizes that electronic communication devices can play a vital communication role during emergency situations. However, ordinary use of electronic communication devices in school situations disrupts and interferes with the educational process and is not acceptable. For purposes of this policy, “electronic communication devices” include cell phones, beepers, pagers, walkie-talkies, and any other telecommunications device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor (e.g., Blackberry, Palm Pilot, etc.)

Students may carry electronic communication devices but these devices must be silenced inside school buildings, on school buses, at school-sponsored activities and on field trips. In these locations, electronic communication devices may be used only during emergencies. For purposes of this policy, “emergency” shall mean an actual or imminent threat to public health or safety, which may result in loss of life, injury or property damage.

Electronic communication devices with cameras are prohibited in locker rooms, bathrooms, or other locations where such operation may violate the privacy rights of another person.

It is the student’s responsibility to ensure that the device is silenced and out of sight during unauthorized times. Violation of this policy and/or use that violates any other district policy shall result in disciplinary measures and confiscation of the electronic communication device. Confiscated devices shall be returned to the student only after a conference with the parent/guardian, student and school personnel. The building principal or designee may also refer the matter to law enforcement, as appropriate.

The district shall not be responsible for loss, theft or destruction of electronic communication devices brought onto school property.

◆ **CONCURRENT ENROLLMENT (Policy IHCDA) – Revised July 1, 2011**

Students who wish to pursue postsecondary level work while in high school shall be permitted to do so. In accordance with this policy and accompanying regulation, high school students may receive course credit toward the fulfillment of high school graduation requirements for successful completion of approved postsecondary courses offered by institutions of higher education.

This policy and accompanying regulation do not apply to students seeking to enroll in postsecondary courses pursuant to the

Accelerating Students through Concurrent Enrollment (ASCENT) program. Students seeking to enroll in the ASCENT program shall work with district administrators and meet the applicable requirements of the Concurrent Enrollment Programs Act (the Act).

Definitions

For purposes of this policy and accompanying regulation, the following definitions shall apply.

"Concurrent enrollment" means the simultaneous enrollment of a qualified student in a district high school and in one or more postsecondary courses at an institution of higher education.

"Qualified student" means a person who is less than 21 years of age and is enrolled in the 9th grade or higher grade level.

"Postsecondary course" means a course offered by an institution of higher education and includes coursework resulting in the acquisition of a certificate; an associate degree of applied sciences, general studies, arts, or science; and all baccalaureate degree programs.

Eligibility

Qualified students seeking to enroll in postsecondary courses at the district's expense and receive high school credit for such courses shall follow the procedure accompanying this policy, see IHCDA-R.

Academic credit

Academic credit granted for postsecondary courses successfully completed by a qualified student shall count as high school credit toward the Board's graduation requirements, unless such credit is denied. Students must have prior approval from the building administrator before enrolling in off campus credit options.

High school credit shall be denied for postsecondary courses that do not meet or exceed the district's standards. High school credit shall also be denied for a postsecondary course substantially similar to a course offered by the district, unless the qualified student's enrollment in the postsecondary course is approved due to a scheduling conflict or other reason deemed legitimate by the district. Concurrent enrollment is not available for summer school.

Agreement with institution of higher education

When a qualified student seeks to enroll in postsecondary courses at an institution of higher education and receive high school credit for such courses, the district and the participating institution shall enter into a written cooperative agreement in accordance with the Act.

Payment of tuition

The district shall pay the tuition for up to six credit hours of postsecondary courses successfully completed by a qualified student and for which the qualified student receives high school credit. A qualified student may enroll in up to six credit hours of postsecondary courses per academic term.

The tuition paid by the district for the qualified student's successful completion of an approved postsecondary course shall be in accordance with the Act and the district's cooperative agreement with the institution of higher education. The institution of higher education may charge additional tuition and/or associated fees to the qualified student or the student's parent/guardian in addition to the tuition paid by the district.

Prior to paying the tuition for any qualified student, the district shall require the student and student's parent/guardian to sign an agreement stating if the student fails or otherwise does not complete the postsecondary course, with a C or better, for any reason without consent of the principal of the high school in which the student is enrolled, the student and/or the student's parent/guardian shall repay the amount of tuition paid by the district on the student's behalf.

Transportation

The district shall not provide or pay for the qualified student's transportation to the institution of higher education.

Notice

Information about concurrent enrollment options shall be made available to high school students and their parents/guardians on an annual basis.

◆ STUDENT CONDUCT ON BUSES (Policy JICC) – Revised July 1, 2011

The privilege of riding a school bus is contingent upon a student's good behavior and observance of the student code of conduct and established rules for student conduct both at bus stops and on board buses.

The driver of a school bus shall be responsible for the safety of the students on his/her bus, both during the ride and while students are entering or leaving the vehicle. The bus driver shall notify the Director of Transportation, the School Principal, and the

parents/guardians of any student who persists in violating the established rules of conduct. The driver is in charge and students should obey the driver's instructions promptly and respectfully.

Sponsors have the primary responsibility to ensure students behave properly and observe the rules of conduct on activity trips. The bus driver will take appropriate action to assist the sponsor in enforcing the rules to ensure the safe operation of the bus.

After due warning has been given to the student and to parents/guardians, the student may be suspended from the bus. The student may be suspended from the bus immediately for conduct detrimental to the safe operation of the bus. Violation of district policy and regulations while on the school bus may also result in the student's suspension or expulsion from school, in accordance with district policy.

◆ **STUDENT CONDUCT ON BUSES (BUS CONDUCT RULES AND CONSEQUENCES) (File Policy JICC-R)**
– Revised July 1, 2011

All students must adhere to the following rules of conduct while on school buses or in other district-sponsored vehicles:

1. Students should be at their designated bus stop 5 minutes prior to their scheduled pick up.
2. Students must stay off the roadway at all times while waiting for the bus.
3. Students must wait for the driver's signal before crossing the road if necessary and then proceed straight across the road no less than 10 feet or more than 15 feet in front of the bus.
4. Students must wait until the bus stops and the door is opened before attempting to board.
5. There will be no pushing, shoving, or other behavior that endangers others getting on or off the bus.
6. There will be no standing, changing seats, or moving about while the bus is in motion.
7. Students must keep head, arms, and legs inside the bus and adjust windows only when instructed to do so by the driver. Students must not throw things out of the bus.
8. Students must sit in the seat facing forward with the aisle kept clear at all times. Keep hands, feet, and other objects to yourself and don't be a nuisance to others.
9. Unacceptable language, rude gestures, or loud noises and talking are not permitted. Complete silence is required at all railroad crossings. Students must be courteous and respectful.
10. The use of or possession of any tobacco, alcohol, or drugs is not permitted.
11. Large objects, band instruments, or class projects (except glass, heavy metal items, skis, etc.) that can safely be held on a student's lap and don't interfere with other passengers can be transported. On a case-by-case basis exceptions can be made if the request has been pre-approved by the driver.
12. Animals, weapons, or replicas of weapons, matches or other dangerous items are not permitted.
13. Balls must be in some type of sports bag.
14. Eating or drinking is not allowed (choking may occur).
15. Destruction/vandalism of property is not permitted.
16. Student radios, tape decks, CD players, etc. are not to be played aloud on the bus.
17. Students should be alert for a danger signal (horn honking, verbal command, etc.) from the driver when leaving the bus or crossing a road. If you hear a signal immediately stop and check with the driver for instructions.
18. Students should only board or exit the bus at an assigned stop. Students must have a written request from their parent/guardian, approved by the principal, and presented to the driver in order to get on or off at another stop.
19. Littering is not permitted.
20. Harassment and fighting is not permitted.
21. Theft or damage of another person's property is not permitted.
22. Use of aerosol products (hair spray, etc.) is not permitted.
23. Behavior or conduct not listed above, which in the opinion of the driver is either unsafe or detrimental to the well-being of other passengers, is not permitted.

If an offense is minor in nature and if the student responds appropriately to behavior management, then the bus driver will give a verbal warning to the student for the first offense. If the student repeats the misconduct or commits another offense then the bus driver will complete a Bus Conduct Report, contact the parent/guardian, and take the appropriate disciplinary action. The bus driver will determine whether an offense is minor or major. Repeated minor offenses (3 in a 2 month period) and major offenses will be dealt with by the director of transportation and/or the school principal.

Parents/guardians will be notified of repeated or serious conduct problems and may be present during the behavior management process. The director of transportation will coordinate the meeting with all concerned parties and facilitate the meeting.

Discipline could result in suspension of the student from riding all ECS D buses for the remainder of the school year.

In the event that a student loses his/her privilege to ride ECS D buses for any period of time, before the student can ride the bus again, a parent/guardian must sign the Bus Conduct Report, and a signed copy must be given to the driver by the student.

◆ **NOTICE TO STUDENTS AND PARENTS/GUARDIANS REGARDING THE USE OF VIDEO RECORDERS ON SCHOOL BUSES (Policy EEAEF*-E) – Revised July 1, 2011**

The district has installed video recording equipment on all school buses to monitor school transportation and will be videotaping on bus routes at random during the school year. Each bus has been equipped with a video monitor box in which a video recording device may be installed. Students will not be notified when a recording device has been installed on their bus.

Tapes will be reviewed on a routine basis by the principal, and evidence of student misconduct will be documented. Students found to be in violation of the district's bus conduct rules will be notified and disciplinary action will be initiated under the Board-adopted Code of Conduct and Discipline.

Videotapes will be treated as protected student records under the Family Educational Rights and Privacy Act. The following guidelines will apply:

1. Tapes will remain in the custody of the Transportation Supervisor. Tapes may be erased after five days if no reason for continued storage is known to the district.
2. Parents/guardians or students who wish to view a videotape in response to disciplinary action taken against a student may request such access under the procedures set forth in policy JRA/JRC–Student Records/Release of Information on Students.
3. Persons unrelated to a disciplinary incident will not be permitted to view bus videotapes.

Acknowledgment

I understand and acknowledge the Board's policy and regulations concerning the use of video recorders on school buses. I also understand that my son/daughter will be held accountable for his/her conduct on district transportation and for the consequences outlined in the Board's policy and regulations for student conduct on district-approved transportation.

Parent/guardian

Date

◆ **CODE OF CONDUCT (Policy JICDA) – Revised July 1, 2011**

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 district property, when being transported in vehicles dispatched by the district or one of its schools, during a school-sponsored or district-sponsored activity or event and off school property when the conduct has a reasonable connection to school or any district curricular or non-curricular event.

1. Causing or attempting to cause damage to school property or stealing or attempting to steal school property of value.
2. Causing or attempting to cause damage to private property or stealing or attempting to steal private property.
3. Commission of any act which if committed by an adult would be robbery or assault as defined by state law. Expulsion shall be mandatory in accordance with state law except for commission of third degree assault.
4. Violation of criminal law, which has an immediate effect on the school or on the general safety or welfare of students or staff.
5. Violation of district policy or building regulations.
6. Violation of the district's policy on weapons in the schools. Expulsion shall be mandatory for carrying, bringing, using, or possessing a dangerous weapon without the authorization of the district, in accordance with state law.
7. Violation of the district's alcohol use/drug abuse policy. Expulsion shall be mandatory for sale of drugs or controlled substances, in accordance with state law.
8. Violation of the district's violent and aggressive behavior policy.
9. Violation of the district's tobacco-free schools policy.
10. Violation of the district's policy on sexual harassment.

11. Violation of the district's policy on nondiscrimination.
12. Throwing objects unless part of a supervised school activity that can cause bodily injury or damage property.
13. Directing profanity, vulgar language, or obscene gestures toward other students, school personnel, or visitors to the school.
14. Engaging in verbal abuse, i.e., name calling, ethnic or racial slurs, or derogatory statements addressed publicly to others that precipitate disruptions of the school program or incite violence.
15. Committing extortion, coercion or blackmail, i.e., 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.
16. Lying or giving false information, either verbally or in writing, to a school employee.
17. Scholastic dishonesty, which includes but is not limited to cheating on a test, plagiarism or unauthorized collaboration with another person in preparing written work.
18. Continued willful disobedience or open and persistent defiance of proper authority including deliberate refusal to obey a member of the school staff.
19. Behavior on or off school property, which is detrimental to the welfare, safety, or morals of other students or school personnel.
20. Repeated interference with the school's ability to provide educational opportunities to other students.
21. Engaging in "hazing" activities, i.e., forcing prolonged physical activity, forcing excessive consumption of any substance, forcing prolonged deprivation of sleep, food, or drink, or any other behavior which recklessly endangers the health or safety of an individual for purposes of initiation into any student group.
22. Violation of the district's dress code policy.
23. Making a false accusation of criminal activity against a district employee to law enforcement or to the district.

◆ **HEALTH EDUCATION (EXEMPTION PROCEDURE) (Policy IHAM-R) – Revised July 1, 2011**

Exemption will be granted from a specific portion of the health education curriculum on the grounds that the material taught is contrary to the religious beliefs and teachings of the student or of the student's parent/guardian. If the request for the exemption is from a specific portion of the health education curriculum that concerns human sexuality, no reason must be given by the parent/guardian when requesting the exemption.

◆ **BULLYING PREVENTION AND EDUCATION (Policy JICDE) – Revised August 9, 2016**

The Board of Education supports a secure school climate, conducive to teaching and learning that is free from threat, harassment and any type of bullying behavior. The purpose of this policy is to promote consistency of approach and to help create a climate in which all types of bullying are regarded as unacceptable.

Bullying is the use of coercion or intimidation to obtain control over another person or to cause physical, mental or emotional harm to another person. Bullying can occur through written, verbal or electronically transmitted expression or by means of a physical act or gesture. Bullying is prohibited against any student for any reason, including but not limited to any such behavior that is directed toward a student on the basis of his or her academic performance or any basis protected by federal and state law, including disability, race, creed, color, sex, sexual orientation (which includes transgender), national origin, religion, ancestry or the need for special education services, whether such characteristic(s) is actual or perceived. [Note: At the Board's discretion, the policy may state "or against whom federal and state laws prohibit discrimination upon the bases described in C.R.S. 22-32-109 (1)(II)(I)" instead of listing the specific classes protected by federal and state discrimination laws.]

Bullying is prohibited on district property, at district or school-sanctioned activities and 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.

A student who engages in any act of bullying and/or a student who takes any retaliatory action against a student who reports in good faith an incident of bullying, is subject to appropriate disciplinary action including but not limited to suspension, expulsion and/or referral to law enforcement authorities. The severity and pattern, if any, of the bullying behavior shall be taken into consideration when disciplinary decisions are made. Bullying behavior that constitutes unlawful discrimination or harassment shall be subject to investigation and discipline under related Board policies and procedures. Students targeted by bullying when such bullying behavior may constitute unlawful

discrimination or harassment also have additional rights and protections under Board policies and procedures regarding unlawful discrimination and harassment.

The superintendent shall develop a comprehensive program to address bullying at all school levels. The program shall be aimed toward accomplishing the following goals:

1. To send a clear message to students, staff, parents and community members that bullying and retaliation against a student who reports bullying will not be tolerated.
2. To train staff and students in taking pro-active steps to prevent bullying from occurring.
3. To implement procedures for immediate intervention, investigation, and confrontation of students engaged in bullying behavior.
4. To initiate efforts to change the behavior of students engaged in bullying behaviors through re-education on acceptable behavior, discussions, counseling, and appropriate negative consequences.
5. To foster a productive partnership with parents and community members in order to help maintain a bully-free environment.
6. To support victims of bullying by means of individual and peer counseling.
7. To help develop peer support networks, social skills and confidence for all students.
8. To recognize and praise positive, supportive behaviors of students toward one another on a regular basis.

◆ **STUDENT ORGANIZATIONS- OPEN FORUM (SECONDARY SCHOOLS) (Policy JJA-2) – Revised July 1, 2011**

In addition to clubs and groups related to the curriculum students in secondary grades (grades 9-12) in the district shall be permitted to organize and conduct meetings of non-curriculum related student clubs or other groups to pursue specialized activities outside the classroom. Such groups shall not be considered school-sponsored student organizations nor be given all the privileges afforded to school-sponsored organizations.

Students may conduct meetings under this policy on school premises only during non-instructional time so that meetings do not interfere with the orderly conduct of the educational activities of the school. Meetings of non-curricular student groups must be scheduled, organized, and conducted within the guidelines established by this policy and accompanying regulations.

For purposes of this policy, "non-instructional time" means time set aside by each school before actual classroom instruction begins or after actual classroom instruction ends.

Requests for permission to conduct a non-curricular student meeting must originate from a student or group of students. Persons not attending school in this district, parents, school personnel, or any other non-school persons are prohibited from directing, conducting, controlling, or regularly participating in the activities of a non-curricular student group.

All non-curricular student groups meeting on school premises are required to open membership to all interested and/or eligible students. Fraternities, sororities, and/or secret societies shall not receive recognition in any manner under this policy. Attendance at all meetings must be voluntary.

The administration shall develop general guidelines and rules so that students will be informed about the procedure for scheduling meetings and activities, the hours available for meetings and the facilities available for meeting space. Students must request permission for a meeting of a non-curriculum-related group from the principal and submit all scheduling requests to the principal for approval.

A member of the professional staff must be invited to attend every meeting or activity scheduled on school premises as a monitor for purposes of general supervision.

Students shall be responsible for ensuring the presence of a faculty monitor prior to every meeting.

Under no circumstances shall the school compel a faculty member or school employee to monitor or attend a meeting of a non-curricular student group if the content of the speech at the meeting is contrary to the beliefs of the school employee.

School employees may be present at religious meetings of a non-curricular group only in a non-participatory capacity.

All forms of hazing in initiations shall be prohibited in any group meeting on school premises. No initiation shall be held for any non-curricular student group which will be degrading to the student or bring criticism to the school system.

The school district, through the building principal, retains the authority to prohibit meeting which otherwise would be unlawful. Further, nothing in this policy shall be construed to limit the authority of the school to maintain discipline on school premises, to protect the well-being of students and faculty, and to ensure that attendance at meetings is voluntary. Neither shall anything in this policy be used to imply that the school is sponsoring a non-curricular student group. No public funding or support shall be extended to non-curricular student groups other than an opportunity to meet on school premises.

In providing equal access to school facilities for all non-curricular groups, the district is not expressing any opinion or approval of the subject matter discussed at any meeting nor is it advocating or supporting in any manner the point of view expressed by any student or group meeting as allowed by this policy.

Non-curricular student groups shall not be denied equal access to school facilities solely on the basis of the religious, political, philosophical or other content of any speech at such meetings.

◆ **SCHOOL RELATED STUDENT PUBLICATIONS (Policy JICEA) – Revised July 1, 2011**

School-sponsored publications are an educational activity through which students can gain experience in reporting, writing, editing, and an understanding of responsible journalism.

The district encourages students to freely express their views in school-sponsored publications, but they must observe rules for responsible journalism. This means expression which is false or obscene, libelous, slanderous or defamatory under state law; presents a clear and present danger of the commission of unlawful acts, violation of school rules or material and substantial disruption of the orderly operation of the school; violate the privacy rights of other; or threatens violence to property or persons shall not be permitted.

The sponsors of student publications have a responsibility to review the contents before publication and to assist students in improving their skills and modes of expression and to recognize material that is in poor taste, misleading, false, ill-advised, prejudiced and even libelous. Any staff member who exercises editorial control over the style and content of student speech must be able to articulate an educational reason for doing so that is consistent with this policy.

◆ **STUDENT DISTRIBUTION OF NON-CURRICULAR MATERIALS (Policy JICEC) – Revised July 1, 2011**

To understand Constitutional values such as the right to free speech, students must not only study such principles but also have an opportunity to put them into practice. However, there are limitations on the right of student free speech in the school setting that have been upheld by the courts because of the unique nature of the school community.

It is the goal of this policy to strike a necessary balance between a student's right of free speech and the school's need to maintain an orderly and safe school environment which respects the rights of all students on school grounds and during school-sponsored activities.

Students shall be allowed to distribute non-curricular written materials on school property subject to restrictions on time, place and manner of distribution set out in the accompanying regulations and the prohibitions set out below and in state law.

Any material in any media containing expression, which is obscene, pornographic, sexually explicit, 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, violates another person's right to privacy, causes a material and substantial disruption of the orderly operation of the school, or threatens violence to property or persons. Also prohibited are materials that contain insulting words or words the very expression of which injure or harasses or other people and which are inconsistent with the shared values of a civilized social order (e.g. threats of violence or defamation of a person's race, religion, ethnicity, national origin, etc.).

Students who distribute materials in violation of this policy may be subject to appropriate disciplinary action, including suspension and/or expulsion.

School equipment and supplies shall not be used for publication of such material.

◆ **VIOLENT AND AGGRESSIVE BEHAVIOR (Policy JICDD) – Revised July 1, 2011**

The administration recognizes there are certain behaviors that, if tolerated, would quickly destroy the type of learning environment to which the students and staff of the district are entitled. These behaviors, categorized as violent or aggressive, will not be tolerated and shall result in immediate action being taken by the district.

Students exhibiting violent or aggressive behavior or warning signs of future violent or aggressive behavior shall be subject to disciplinary action including suspension and/or referral to law enforcement authorities. At the district's discretion and when appropriate, the student shall receive appropriate intervention designed to address the problem behavior. The Board of Education shall be informed of all intervention efforts by district schools.

Students shall be taught to recognize the warning signs of violent and aggressive behavior and shall report questionable behavior or potentially violent situations to appropriate school officials. All reports shall be taken seriously.

Acts of violence and aggression shall be documented and communicated by the staff to the building principal and the superintendent. The immediate involvement of the parents/guardians is also essential. Law enforcement officials shall be involved if there is any violation of law.

An act of violence and aggression is any expression, direct or indirect, verbal or behavioral, of intent to inflict harm, injury or damage to persons or property. A threat of violence and aggression carries with it implied notions of risk of violence and a probability of harm or injury.

The following behaviors are defined as violent and aggressive:

1. Possession, threat with or use of a weapon — as described in the district’s weapons policy.
2. Physical assault — the act of striking or touching a person or that person’s property with a part of the body or with any object with the intent of causing hurt or harm.
3. Verbal abuse — includes, but is not limited to, swearing, screaming, obscene gestures or threats directed, either orally (including by telephone) or in writing, at an individual, his or her family or a group.
4. Intimidation — an act intended to frighten or coerce someone into submission or obedience.
5. Extortion — the use of verbal or physical coercion in order to obtain financial or material gain from others.
6. Bullying — the use of coercion to obtain control over another person or to be habitually cruel to another person which can occur through written, verbal or electronically transmitted expression or by means of a physical act or gesture.
7. Gang activity — as described in the district’s secret societies/gang activity policy.
8. Sexual harassment — as described in the district’s sexual harassment policy.
9. Stalking — the persistent following, contacting, watching or any other such threatening actions that compromise the peace of mind or the personal safety of an individual.
10. Defiance — a serious act or instance of defying or opposing legitimate authority.
11. Discriminatory slurs — insulting, disparaging or derogatory comments made directly or by innuendo regarding a person’s race, sex, sexual orientation, religion, national or ethnic background or disability.
12. Vandalism — damaging or defacing property owned by or in the rightful possession of another.
13. Terrorism — a threat to commit violence communicated with the intent to terrorize or with reckless disregard for the risk of creating such terror or to cause serious public inconvenience, such as the evacuation of a building.

◆ **SECRET SOCIETIES/ GANG ACTIVITIES (Policy JICF) – Revised July 1, 2011**

The district’s goal is to protect its students from the threats or harmful influence of any groups or gangs which advocate drug use, violence or disruptive behavior. The principal or designee shall maintain supervision of school premises, school vehicles and school-related activities to deter intimidation of students and confrontations between members of different gangs.

The superintendent or designee shall establish open lines of communication with local law enforcement agencies so as to share information and provide mutual support in this effort within appropriate legal guidelines.

The superintendent shall provide in-service training to help staff members identify gangs and gang symbols, recognize early manifestations of disruptive activities and respond appropriately to gang behavior. Staff members shall be informed about conflict management techniques and alerted to intervention measures and community resources, which may help students.

This policy shall be applied by the principal, or by his/her designee, as the need for it arises at individual school sites. The superintendent or Executive Director of Student Services will be informed immediately each time it is implemented.

Gang symbols

The district prohibits the presence on school premises, in school vehicles and at school-related activities of any apparel, jewelry, accessory, notebook or manner of grooming which by virtue of its color, arrangement, trademark or any other attribute denotes membership in gangs which advocate drug use, violence or disruptive behavior.

Prevention education

The district realizes that many students become involved in gangs without understanding the consequences of gang membership. Early intervention is a key component of efforts to break the cycle of gang membership. Therefore gang violence prevention education in the schools shall start with students in third grade.

◆ DRUG AND ALCOHOL USE BY STUDENTS (Policy JICH) – Revised July 1, 2011

Eagle County School District shall promote a healthy environment for students by providing education, support and decision making skills in regard to alcohol, drugs and other controlled substances and their abuse. In order to accomplish this goal, a cooperative effort must be made among the schools, parents/guardians, community and its agencies.

It shall be a violation of Board policy and considered to be behavior which is detrimental to the welfare or safety of other students or school personnel for any student to possess, use, sell, distribute or procure or to be under the influence of alcohol, drugs or other controlled substances. The unlawful possession or use of alcohol or controlled substances is wrong and harmful to students.

For purposes of this policy, controlled substances include but are not limited to narcotic drugs, hallucinogenic or mind-altering drugs or substances, amphetamines, barbiturates, stimulants, depressants, marijuana, anabolic steroids, any other controlled substances as defined in law, or any prescription or nonprescription drug, medicine, vitamin or other chemical substances not taken in accordance with the Board policy and regulations on administering medicines to students.

This policy also includes substances that are represented by or to the student to be any such controlled substance or what the student believes to be any such substance.

This policy shall apply to any student who is on school property, in attendance at school, in a school vehicle or taking part in any school sponsored or sanctioned activity or whose conduct at any time or place interferes with the operations of the district or the safety or welfare of students or employees.

Students violating this policy shall be subject to disciplinary sanctions, which may include suspension and/or expulsion from school and referral for prosecution. Expulsion shall be mandatory for sale or distribution of drugs or other controlled substances.

Situations in which a student seeks counseling or information from a professional staff member for the purpose of overcoming substance abuse shall be handled on an individual basis depending upon the nature and particulars of the case. When appropriate, parents shall be involved and effort made to direct the substance abuser to sources of help.

The Board, in recognition that drug and alcohol abuse is a community problem, shall cooperate actively with law enforcement, social services or other agencies and organizations, parents and any other recognized community resources committed to reducing the incidents of illegal use of drugs and alcohol by school-aged youths.

Whenever possible in dealing with student problems associated with drug and alcohol abuse, school personnel shall provide parents/guardians and students with information concerning education and rehabilitation programs, which are available.

Information provided to students and/or parents about community substance abuse treatment programs or other resources, shall be accompanied by a disclaimer to clarify that the school district assumes no financial responsibility for the expense of drug or alcohol assessment or treatment provided by other agencies or groups unless otherwise required.

The district shall provide all students and parents/guardians with a copy of this policy and its accompanying procedures on an annual basis.

The Board shall conduct a periodic review of its drug prevention program to determine its effectiveness, to implement any required changes and to ensure that the disciplinary sanctions required are consistently enforced.

◆ DRUG AND ALCOHOL USE BY STUDENTS (Policy JICH-R) – Revised July 1, 2011

In accordance with the accompanying policy, the following procedures are established for disciplining students for alcohol- or drug-related misconduct.

Use

1. When a student is suspected of use, the person having the suspicion should notify the principal or designee. Notification must include reasons for such suspicion (observed use, unusual behavior, etc.). The principal or designee will conduct a check of the suspected student and collect data. This action must comply with the Board policy on interrogations and searches.
 - a. If information is not sufficient to warrant further action, the principal or designee may have a personal conference with the

student and/or parent expressing awareness and concern.

- b. If information warrants, the parent/guardian will be requested to attend a conference at school. The conference may include sharing the data collected, explaining consequences of involvement with drugs/alcohol, developing a plan of action, and offering the parent or guardian general information and resources related to substance abuse.
2. When necessary, emergency health and safety care will be provided and any procedural or disciplinary issues postponed until the student's immediate needs are treated. While waiting for the parent/guardian or further medical aid, the student will not be left alone but placed in a quiet situation where he will remain under observation.

Possession

Students who possess alcohol, drugs, other controlled substances or drug-containing or drug-related paraphernalia in violation of Board policy will be handled in the following manner:

1. A staff member who comes in contact with evidence and/or contraband must notify the principal or designee immediately.
2. A staff member who has reasonable cause to believe that a student possesses alcohol, any controlled substance or drug-containing or drug-related paraphernalia in violation of Board policy will request that the student accompany him 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 requesting it directly from the student or through search procedures as outlined in Board policy.
4. The principal or designee will place any evidence in an envelope or alternative container as necessary which will be sealed, dated and initialed by the individual who originally obtained the materials and by the principal or designee. The evidence then will be placed in the school safe.
5. The principal or designee will call appropriate law enforcement officials in each instance of possession or sale of controlled substances by a student. A mutual decision will be made as to retention of the contraband by the school or testing by the authorities.
6. When there is evidence of a student possessing illegal drugs, the student will be suspended and the parent/guardian notified.

First Offense for Use and/or Possession

1. The student will receive up to five days out-of-school suspension, and a parent/guardian conference will be scheduled prior to readmittance.
2. Parent/guardian and student will be provided information concerning voluntary drug and alcohol treatment programs/education.
3. The student may elect to participate in a voluntary drug/alcohol abuse counseling program with attendance verification submitted to the school administration. Upon choice of this option, the student will be readmitted. If counseling is not elected, the student may be suspended from school for an additional five days by the superintendent. The student and parent /guardian must attend a readmission conference during the suspension. At the end of the five days, the student will be readmitted.
4. The principal or designee will attempt to develop with the parent/guardian and the student a procedure that will outline the responsibilities of the parent/guardian, the student and the school in an effort to keep any further offenses from occurring.

Second Offense for Use and/or Possession

1. The student will be suspended from school for up to ten days.
2. Information concerning voluntary drug or alcohol treatment programs will be given to the student and the parent/guardian. The principal or designee will require evidence of the student's enrollment and/or participation in a voluntary program prior to the student's re-admittance to school.
3. Appropriate law enforcement officials will be notified.

Third Offense for Use and/or Possession

The student will be recommended for expulsion.

Distribution

Students who sell, give or exchange alcohol, drugs, other controlled substances or drug-containing or drug-related paraphernalia in violation of Board policy will be handled in the following manner:

1. If an employee witnesses an act in which alcohol, drugs, other controlled substances or drug-containing or drug-related paraphernalia are

being transferred from one student to another, the staff member will immediately attempt to detain the student and request that the student accompany the staff member to the principal or designee. If the student refuses, the staff member will notify the principal or designee immediately.

2. The principal or designee will attempt to obtain evidence by requesting it directly from the student or through search procedures in accordance with Board policy.
3. Any student who distributes, trades, exchanges or sells controlled substances will be expelled.

These procedures will supplement and complement authority conferred elsewhere by Board policy and will not be deemed to limit or suspend such other authority.

♦ **WEAPONS IN SCHOOL (Policy JICI) – Revised July 1, 2011**

Possession and/or use of a weapon by students, is detrimental to the welfare and safety of the students and school personnel within the district.

Mandatory expulsion in accordance with state and federal law

Carrying, bringing, using or possessing a dangerous weapon on district property, when being transported in vehicles dispatched by the district or one of its schools, during a school-sponsored or district-sponsored activity or event, and off school property when the conduct has a reasonable connection to school or any district curricular or non-curricular event without the authorization of the school or the school district is prohibited. An exception to this policy may be made for students participating in an authorized extracurricular activity or team involving the use of firearms.

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

- a. A firearm, whether loaded or unloaded.
- b. Any pellet, 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. Any object device, instrument, material, or substance, whether animate or inanimate, used or intended to be used to inflict death or serious bodily injury including, but not limited to slingshot, bludgeon, brass knuckles or artificial knuckles of any kind.

The principal shall initiate expulsion proceedings for students who carry, bring, use or possess a dangerous weapon in violation of this policy. Unless expulsion is otherwise required by federal law, a student may, but need not be expelled 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.

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

Discretionary discipline in accordance with state law

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

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

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

Local restrictions

Extra precautions are important and necessary to provide for student safety. Therefore, the carrying, bringing, using or possessing of any knife, regardless of the length of the blade, on district property, when being transported in vehicles dispatched by the district or one of its schools, during a school-sponsored or district-sponsored activity or event, and off school property when the conduct has a reasonable

connection to school or any district curricular or non-curricular event without express authorization is prohibited. Students who violate this policy provision shall be referred for appropriate disciplinary proceedings. Recordkeeping

The district shall maintain records, which describe the circumstances involving expulsion 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.

Referral to law enforcement

In accordance with applicable law, school personnel shall refer any student who brings a firearm or weapon to school without authorization of the school or the district to law enforcement

◆ **STUDENT INTERROGATIONS, SEARCHES AND ARRESTS (Policy JIH) – Revised July 1, 2011**

The district seeks to maintain a climate in the schools, which is conducive to learning and protective of the safety and welfare of staff and students. To achieve this goal, it may be necessary for school personnel to search the person and/or the personal property of the student and to seize any property deemed injurious or detrimental to the safety and welfare of students and staff.

Interviews by school administrators

When a violation of district 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 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 district 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.

Searches conducted by school personnel

School personnel may search a student and/or the student's personal property while on school premises or during a school activity in accordance with this policy and may seize any illegal, unauthorized, or contraband materials.

Whenever possible, the student shall be informed of the reason(s) for conducting the search and the student's permission to perform the search shall be requested. A student's failure to cooperate with school officials conducting a search shall be considered grounds for disciplinary action.

An administrative report shall be prepared by the school official conducting a search explaining the reasons for the search, the results and the names of any witnesses to the search.

Search of school property

School lockers, desks and other storage areas are school property and remain at all times under the control of the school. All such lockers, desks and other storage areas, as well as their contents, are subject to inspection at any time, with or without notice.

Students shall assume full responsibility for the security of their lockers and/or other storage areas in the manner approved by the administration. Students shall be responsible for whatever is contained in desks and lockers assigned to them by the school, as well as for any loss or damage relating to the contents of such desks and lockers.

Search of the student's person or personal effects

The principal (*or designee*) and/or director of transportation (*or designee*) may search the person of a student or a student's personal effects such as a purse, backpack, book bag, or briefcase on school property or at school-sponsored events or activities if the school official has reasonable grounds to suspect that the search will uncover:

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

Search of the person shall be limited to the student's pockets, any object in the student's possession such as a purse, backpack, book bag, or briefcase and 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 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 shall be respectful of privacy considerations, in light of the sex and age of the student.

Searches of the person shall be conducted out of the presence of other students and as privately as possible by a person of the same sex as the student being searched. At least one person of the same sex as the student being searched shall witness but not participate in the search.

Searches of a student's person and/or personal effects may be conducted without the prior consent of the student's parent/guardian. However, the parents/guardians of any student searched shall be notified of the search as soon as reasonably possible.

Searches of the person, which may require removal of clothing other than a coat or jacket, shall be referred to a law enforcement officer. School personnel shall not participate in such searches.

Seizure of items

Anything found in the course of a search conducted by school officials or designee, which is evidence of a violation of law, district policy or school rules or which by its presence presents an immediate danger of physical harm may be:

1. Seized and offered as evidence in any suspension or expulsion proceeding. Such material shall be kept in a secure place by the principal or director of transportation until it is presented at the hearing.
2. Returned to the student or parents/guardians.
3. Turned over to any law enforcement officer in accordance with this policy.

Appeals

Within ten school days after a search, the student may appeal the search decision to the superintendent who shall investigate the reason(s) and circumstances of the search. The superintendent shall issue written findings within five school days after receiving the appeal. The superintendent's decision shall constitute the final district determination.

Law enforcement officers' involvement

Interrogation and interviews

When law enforcement officials request permission to question students when students are in school or participating in school activities, the principal (*or designee*) shall ascertain that the law enforcement officer has proper identification. Except when law enforcement officers have a warrant or other court order, or when emergency or other exigent circumstances exist, such interrogatories and interviews are discouraged during students' class time.

The principal or designee shall be present during the law enforcement interrogation or interview unless a court order provides otherwise. 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 notify the student's parent/guardian, except in cases involving investigation of reported child abuse where the suspected perpetrator is a member of the student's family, when law enforcement has a court order directing that the student's parent/guardian not be notified, or when an emergency or other exigent circumstances exist.

If the student is under 18, the student's parent/guardian also shall be present during the law enforcement interrogation or interview unless: (1) the juvenile is emancipated as that term is defined in state law; (2) the student's parent/guardian has not been notified pursuant to this policy; or (3) the student's parent/guardian agrees to the interrogation or interview without being present.

Search and seizure

The principal or designee may request a search on school premises be conducted by a law enforcement officer. When law enforcement officers respond to such a request, no school employee shall assist or otherwise participate in the search. It is expected that searches by law enforcement will be conducted in accordance with the requirements of applicable law.

Custody and/or arrest

A student will be released to law enforcement officers if the student has been placed under arrest or if the student's parent/guardian 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 reasonable efforts to notify the student's parent/guardian.

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

◆ **PARKING LOT SEARCHES (Policy JIHB) – Revised July 1, 2011**

The privilege of bringing a student-operated motor vehicle on to school premises is conditioned on consent by the student driver to allow search of the vehicle when there is reasonable suspicion that the search will yield evidence of contraband.

Refusal by a student, parent/guardian or owner of the vehicle to allow access to a motor vehicle on school premises at the time of a request to search the vehicle shall be cause for termination without further hearing of the privilege of bringing the vehicle on to school premises. Refusal to submit to search also may result in disciplinary action and notification of law enforcement officials.

Routine patrolling of student parking lots and inspection of the outside of student automobiles shall be permitted at all times.

◆ **STUDENT DISCIPLINE (Policy) JK – Revised July 1, 2011**

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

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

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

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

Immunity for enforcement of discipline code

An act of a teacher or other employee shall not be considered child abuse if the act was performed in good faith and in compliance with district policy and procedures.

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

Remedial discipline plans

The principal may develop a remedial discipline plan for any student who causes a material and substantial disruption in the classroom, on school grounds, in school vehicles or at school activities or events. The goal of the remedial discipline plan shall be to address the student's disruptive behavior and educational needs while keeping the child in school.

Discipline of habitually disruptive students

Students who have been suspended three times for causing a material and substantial disruption in the classroom, on school grounds, in school vehicles or at school activities or events during the school year shall be declared habitually disruptive students. Any student enrolled in the district's schools may be subject to being declared a habitually disruptive student.

Declaration as a habitually disruptive student may result in the student's expulsion.

Distribution of conduct and discipline code

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

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

◆ **STUDENT DISCIPLINE (Policy) JK-R – Revised July 1, 2011**

Remedial discipline plans

1. The principal may develop a plan for any student who causes a material and substantial disruption in the classroom, on school grounds, in school vehicles or at school activities or events. The goal of the remedial discipline plan shall be to address the student's disruptive behavior and educational needs while keeping the child in school.

2. To develop the plan, the principal will arrange for a meeting with the student, the student's parent/guardian and any members of the staff whom the principal believes should attend.
3. The purpose of the meeting will be to address the reasons for the student's disruptive behavior and to establish goals, objectives, and timelines to modify such behavior. A written plan will be prepared which addresses the student's disruptive behavior, his or her educational needs, and what steps are necessary to keep the child in school. The plan will include incentives for good behavior and consequences if the student violates the plan.
4. The plan may be written in the form of a contract which the student and the parent/guardian will sign and date.
5. The parent/guardian will be provided a copy of the remedial discipline plan and it will be placed in the student's cumulative file.

Habitually disruptive students

A student will be declared "habitually disruptive" if suspended three times during the course of the school year for causing a material and substantial disruption in the classroom, on school grounds, or at school activities or events because of student behavior that was initiated, willful, and overt.

1. The principal will inform the superintendent if a student is suspended for a second time for causing a material and substantial disruption.
2. The student and the parent/guardian will be notified in writing of each suspension which counts toward declaring the student habitually disruptive. The student and parent/guardian will also be notified in writing and by telephone or other oral communication of the definition of "habitually disruptive student".

District procedures for expulsion may be initiated when the student is suspended for the third time. The period of suspension will be extended, if necessary, to conduct an expulsion proceeding.

◆ **DISCIPLINE OF STUDENTS WITH DISABILITIES (Policy JK-2) – Revised July 1, 2011**

Students with disabilities are neither immune from the district's disciplinary process nor entitled to participate in programs when their behavior impairs the education of other students. Students with disabilities who engage in disruptive activities and/or actions dangerous to themselves or others will be disciplined in accordance with their IEP, any behavioral intervention plan, and this policy.

Nothing in this policy shall prohibit an IEP team from establishing consequences for disruptive or unacceptable behavior as a part of this student's IEP and/or behavioral intervention plan.

Suspensions, expulsions and provision of services

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

A disciplinary change of placement occurs when a student is removed for more than 10 consecutive school days or subjected to a series of removals that constitute a pattern of removal under governing law.

Upon the eleventh school day of suspension or removal when such suspension or removal does not result in a disciplinary change of placement, educational services shall be provided to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. School personnel, in consultation with at least one of the student's teachers, shall determine the educational services to be provided to the student during this period of suspension or removal.

When a student is expelled or subject to a removal that results in a disciplinary change of placement, educational services shall be provided as determined by the student's IEP team to enable the student to participate in the general education curriculum, although in another setting, and to progress toward meeting his or her IEP goals.

Prior to expulsion or other disciplinary change in placement the student's parents shall be notified of the decision to take such disciplinary action and of their procedural safeguards. This notification shall occur not later than the date on which such decision is made.

Manifestation determination

Within 10 school days from the date of the decision to take disciplinary action that will result in a disciplinary change of placement, relevant members of the student's IEP team, including the student's parents, shall review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents, to determine whether the student's behavior was a manifestation of the student's disability.

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

Disciplinary action for behavior that is not a manifestation

If the team determines that the student's behavior was not a manifestation of the student's disability, disciplinary procedures shall be applied to the student in the same manner as applied to non-disabled students.

As stated above, the student shall receive educational services during the period of expulsion or other disciplinary change of placement.

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

Disciplinary action and/or alternative placement for behavior that is a manifestation

If the team determines that the student's behavior is a manifestation of the student's disability, expulsion proceedings or other disciplinary change of placement will be discontinued. However, the student may be placed in an alternative setting for up to 45 school days as discussed below or the student's placement may be changed for educational reasons as determined by the IEP team or as otherwise permitted by law.

Within a reasonable amount of time after determining that the student's behavior is a manifestation of the student's disability, the student's IEP team shall: (1) conduct an FBA of the student, unless an FBA has already been conducted; and (2) implement a BIP for the student. If a BIP has already been developed, the IEP team shall review it and modify it as necessary to address the student's behavior.

Placement in an alternative setting for 45 school days

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

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

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

Students not identified as disabled

Students who have not been identified as disabled shall be subjected to the same disciplinary measures applied to students without disabilities if the district had "knowledge" of the student's disability before the behavior that precipitated the disciplinary action occurred.

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

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

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

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

◆ **DISCIPLINARY REMOVAL FROM CLASSROOM (Policy JKBA) – Revised July 1, 2011**

It is the district's policy to maintain classrooms in which student behavior does not interfere with the ability of the teacher to teach effectively or the ability of other students to participate in classroom learning activities.

For purposes of this paragraph, "dangerous weapon" means:

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

According to C.R.S. [22-33-106](#) (2), subject to the district's responsibilities under the Exceptional Children's Education Act and applicable federal law (see policy [JK*-2](#), *Discipline of Students with Disabilities*), the following may be grounds for expulsion from or denial of admission to a public school or diversion to an appropriate alternate program:

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

◆ **USE OF PHYSICAL INTERVENTION (Policy JKA) – Revised July 1, 2011**

In dealing with disruptive students, any person employed by the district may, within the scope of his/her employment, use reasonable and appropriate physical intervention or force as necessary for the following purposes:

1. To prevent a student from an act of wrong doing;
2. To quell a disturbance threatening physical injury to others;
3. To obtain possession of weapons or other dangerous objects upon a student or within the control of a student;
4. For the purpose of self-defense;
5. for the protection of persons or property;
6. To maintain discipline.

Any such acts are not in conflict with the legal definition of child abuse and shall not be construed to constitute corporal punishment within the meaning and intention of this policy.

Under no circumstances shall a student be physically held for more than five minutes unless the provisions regarding restraint (contained in the regulation) are followed.

Any method or device used to involuntarily limit a student's freedom of movement for more than five minutes, including physical force, mechanical restraint, physical restraint, chemical restraint or seclusion, shall be in compliance with state law on protecting persons from restraint. The superintendent shall develop procedures and a training program related to the use of restraint consistent with this policy and state law.

No corporal punishment shall be administered to student by anyone in any district school.

◆ **USE OF PHYSICAL INTERVENTION AND RESTRAINT (Policy JKA-R) – Revised July 1, 2011**

A. Definitions

In accordance with the State Board of Education rules governing the Administration of the Protection of Persons from Restraint Act, the following definitions apply for purposes of this regulation and accompanying policy.

1. “Restraint” means any method or device used to involuntarily limit freedom of movement, including but not limited to bodily physical force, mechanical devices, chemicals and seclusion.
2. “Physical restraint” means the use of bodily, physical force to involuntarily limit an individual’s freedom of movement. “Physical restraint” does not include:
 - a. holding of a student for less than five minutes by a staff person for the protection of the student or others;
 - b. brief holding of a student by one adult for the purpose of calming or comforting the student;
 - c. minimal physical contact for the purpose of safely escorting a student from one area to another;
 - d. minimal physical contact for the purpose of assisting the student in completing a task or response.
3. “Mechanical restraint” means a physical device used to involuntarily restrict the movement of a student or the movement or normal function of the student’s body. “Mechanical restraint” does not include:
 - a. devices recommended by a physician, occupational therapist or physical therapist and agreed to by a student’s IEP team or Section 504 team and used in accordance with the student’s Individualized Education Program (IEP) or Section 504 plan;
 - b. protective devices such as helmets, mitts, and similar devices used to prevent self-injury and in accordance with a student’s IEP or Section 504 plan;
 - c. adaptive devices to facilitate instruction or therapy and used as recommended by an occupational therapist or physical therapist, and consistent with a student’s IEP or Section 504 plan; or
 - d. positioning or securing devices used to allow treatment of a student’s medical needs.
4. “Chemical restraint” means administering medication to a student (including medications prescribed by the student’s physician) on an as needed basis for the sole purpose of involuntarily limiting the student’s freedom of movement. “Chemical restraint” does not include:
 - a. prescription medication that is regularly administered to the student for medical reasons other than to restrain the student’s freedom of movement (e.g. Asthma-cort, medications used to treat mood disorders or ADHD, Glucagon); or
 - b. the administration of medication for voluntary or life-saving medical procedures (e.g. EpiPens, Diastat).
5. “Seclusion” means the placement of a student alone in a room from which egress is involuntarily prevented. “Seclusion” does not mean:
 - a. placement of a student in residential services in the student’s room for the night; or
 - b. time-out.
6. “Time-out” is the removal of a student from potentially rewarding people or situations. A time-out is not used primarily to confine the student, but to limit accessibility to reinforcement. In time-out, the student is not physically prevented from leaving the designated time-out area and is effectively monitored by staff.
7. “Emergency” means serious, probable, imminent threat of bodily injury to self or others with the present ability to affect such bodily injury. Emergency includes situations in which the student creates such a threat by abusing or destroying property.
8. “Bodily injury” means physical pain, illness or any impairment of physical or mental condition as defined in C.R.S. 18-1-901(3)(c).
9. “State Board Rules” mean the State Board of Education rules governing the Administration of the Protection of Persons from Restraint Act, 1 CCR 301-45.
10. “Parent” shall be as defined by the State Board rules.

B. Basis for use of restraint

Restraints shall only be used:

1. In an emergency and with extreme caution; and
2. After:
 - a. the failure of less restrictive alternatives (such as Positive Behavior Supports, constructive and non-physical de-escalation, and restructuring the environment); or
 - b. a determination that such alternatives would be inappropriate or ineffective under the circumstances.
3. Restraints shall never be used as a punitive form of discipline or as a threat to gain control or gain compliance of a student’s behavior.
4. School personnel shall:
 - a. use restraints only for the period of time necessary and using no more force than necessary; and
 - b. prioritize the prevention of harm to the student.

C. Duties related to the use of restraint – general requirements

When restraints are used, the district shall ensure that:

1. No restraint is administered in such a way that the student is inhibited or impeded from breathing or communicating;
2. No restraint is administered in such a way that places excess pressure on the student’s chest, back, or causes positional asphyxia;

3. Restraints are only administered by district staff who have received training in accordance with the State Board rules;
4. Opportunities to have the restraint removed are provided to the student who indicates he/she is willing to cease the violent or dangerous behavior;
5. When it is determined by trained district staff that the restraint is no longer necessary to protect the student or others (i.e. the emergency no longer exists), the restraint shall be removed; and
6. The student is reasonably monitored to ensure the student's physical safety.

Additionally, in the case of seclusion, staff shall reintegrate the student or clearly communicate to the student that the student is free to leave the area used to seclude the student.

D. Proper administration of specific restraints

1. Chemical restraints shall not be used.
2. Mechanical restraints shall not be used, except that this provision shall not apply to armed security officers who have received documented training in defensive tactics utilizing handcuffing procedures and are detaining the student for law enforcement.
3. Physical restraint
 - a. a person administering the physical restraint shall only use the amount of force necessary to stop the dangerous or violent actions of the student.
 - b. a restrained student shall be continuously monitored to ensure that the breathing of the student in such physical restraint is not compromised.
 - c. a student shall be released from physical restraint within fifteen minutes after the initiation of the restraint, except when precluded for safety reasons.
4. Seclusion
 - a. relief periods from seclusion shall be provided for reasonable access to toilet facilities; and
 - b. any space in which a student is secluded shall have adequate lighting, ventilation and size. To the extent possible under the specific circumstances, the space should be free of injurious items.

E. Notification requirements

1. If there is a reasonable probability that restraint might be used with a particular student, appropriate school staff shall notify, in writing, the student's parents, and, if appropriate, the student of:
 - a. the restraint procedures (including types of restraints) that might be used;
 - b. specific circumstances in which restraint might be used; and
 - c. staff involved.
2. For students with disabilities, if the parents request a meeting with school personnel to discuss the notification, school personnel shall ensure that the meeting is convened.
3. The required notification may occur at the meeting where the student's behavior plan or IEP is developed/reviewed.

F. Documentation requirements

1. If restraints are used, a written report shall be submitted within one school day to school administration.
2. The school principal or designee shall verbally notify the parents as soon as possible but no later than the end of the school day that the restraint was used.
3. A written report based on the findings of the staff review required by paragraph G. below shall be e-mailed, faxed or mailed to the student's parent within five calendar days of the use of restraint. The written report of the use of restraint shall include:
 - a. the antecedent to the student's behavior if known;
 - b. a description of the incident;
 - c. efforts made to de-escalate the situation;
 - d. alternatives that were attempted;
 - e. the type and duration of the restraint used;
 - f. injuries that occurred, if any; and
 - g. the staff present and staff involved in administering the restraint.
4. A copy of the written report on the use of restraint shall be placed in the student's confidential file.

G. Review of specific incidents of restraint

1. The district shall ensure that a review process is established and conducted for each incident of restraint used. The purpose of this review shall be to ascertain that appropriate procedures were followed and to minimize future use of restraint.
2. The review shall include, but is not limited to:
 - a. staff review of the incident;
 - b. follow up communication with the student and the student's family;
 - c. review of the documentation to ensure use of alternative strategies; and
 - d. recommendations for adjustment of procedures, if appropriate.
3. If requested by the district or the student's parents, the district shall convene a meeting to review the incident. For students with IEPs or Section 504 plans, such review may occur through the IEP or Section 504 process.

H. General review process

1. The district shall ensure that a general review process is established, conducted and documented in writing at least annually. The purpose of the general review is to ascertain that the district is properly administering restraint, identifying additional training needs, minimizing and preventing the use of restraint by increasing the use of positive behavior interventions, and reducing the incidence of injury to students and staff.
2. The review shall include, but is not limited to:
 - a. analysis of incident reports, including all reports prepared pursuant to paragraphs F.1 and F.3 above and including, but not limited to, procedures used during the restraint, preventative or alternative techniques tried, documentation, and follow up;
 - b. training needs of staff;
 - c. staff to student ratio; and
 - d. environmental conditions, including physical space, student seating arrangements and noise levels.

I. Staff training

1. The district shall ensure that staff utilizing restraint in schools are trained in accordance with the State Board rules.
2. Training shall include:
 - a. a continuum of prevention techniques;
 - b. environmental management;
 - c. a continuum of de-escalation techniques;
 - d. nationally recognized physical management and restraint practices, including, but not limited to, techniques that allow restraint in an upright or sitting position and information about the dangers created by prone restraint;
 - e. methods to explain the use of restraint to the student who is to be restrained and to the student’s family; and
 - f. appropriate documentation and notification procedures.
3. Retraining shall occur at a frequency of at least every two years.

◆ **IMMUNIZATION OF STUDENTS (Policy JLCB) – Revised July 1, 2011**

The Board directs the superintendent or designee(s) to annually provide parents/guardians of each student enrolled in the district a copy of the standardized immunization document developed by the Colorado Department of Public Health and Environment. The standardized immunization document includes a list of required and recommended immunizations and the age at which each immunization should be given.

No student is permitted to attend or continue to attend any school in this district without meeting the legal requirements of immunization against disease unless the student has a valid exemption for health, religious, personal or other reasons as provided by law.

Students who do not submit an up-to-date certificate of immunization or a written authorization signed by one parent/guardian requesting local health officials to administer the immunizations or a valid exemption will be suspended and/or expelled from school according to regulation JLCB-R.

All information distributed to parents/guardians by the district will inform them of their rights to seek an exemption from immunization requirements.

◆ **IMMUNIZATION OF STUDENTS (Policy JLCB-R) – Revised July 1, 2011**

1. No student may attend school in the district unless the student has presented to the school an up-to-date certificate of immunization or a completed exemption form. *[Note: please refer to current standardized immunization documents developed and updated by the Colorado Department of Public Health and Environment for a list of immunization requirements and recommendations.]* A student shall be exempted from required immunizations only upon submission of:
 - a. certification from a licensed physician that the student's physical condition is such that immunization would endanger the student's life or health or is otherwise medically contraindicated due to other medical conditions.
 - b. a statement signed by the parent/guardian or the emancipated student that the student adheres to a religious belief whose teachings are opposed to immunizations.
 - c. a statement signed by the parent/guardian or the emancipated student that the student holds a personal belief that is opposed to immunizations. In the event of an outbreak of disease against which immunization is required, no exemption will be recognized and those students will be excluded from school.
2. The district will provide upon request an immunization reporting form. The (appropriate school official, e.g., school nurse, principal) is responsible for seeing that required information is included on the form and transferred to an official certificate of immunization as required.
3. If there is a failure to comply with the immunization requirements, the (appropriate school official) will personally notify the parent/guardian or emancipated student. Such notification will be accomplished either by telephone or in person. If this is not possible,

contact will be by mail. Emancipated students must be contacted directly rather than through their parents/guardians. The parent/guardian or emancipated student will be notified of the following:

- a. that up-to-date immunizations are required under Colorado law.
- b. that within fourteen (14) days of notification, the parent/guardian must submit either an authorization for administration of the immunization by health officials or a valid exemption or documentation to the school showing that the next required immunization has been given and a written plan for completion of all required immunizations.
- c. that if the required documentation is not submitted within fourteen (14) days of notification or if the student begins but does not continue or complete the written plan, the student will be suspended or expelled.

4. A student who fails to comply will be suspended by the principal for up to five days and notice of the suspension sent to the Health Department.
5. If no certificate of immunization is received during the period of suspension, the superintendent will institute proceedings for expulsion.
6. Any suspension or expulsion under this policy will terminate automatically upon compliance.
7. Record of any such suspension or expulsion will be contained in the student's health file, with an appropriate explanation—not in the student's disciplinary file. Any student expelled for failure to comply with the immunization requirements will not be included in calculating the dropout rate, but will be included in the annual report to the State Board of Education.

Students in out-of-home placements

The following procedure shall apply to students in out-of-home placements, as that term is defined by C.R.S. 22-32-138(1)(e). Unless the district or school is otherwise authorized to deny enrollment to a student in out-of-home placement, the district or school shall enroll the student regardless of whether the district or school has received the student's immunization records. Upon enrolling the student, the school shall notify the student's legal guardian that unless the school receives the student's certificate of immunization or a written authorization for administration of immunizations within fourteen (14) days after the student enrolls, the school shall suspend the student until such time as the school receives the certificate of immunization or authorization.

◆ **ADMINISTERING MEDICINES TO STUDENTS (Policy JLCD) – Revised July 1, 2011**

Medication may be given legally only by school personnel whom a registered nurse has trained and delegated the task of giving such medication. No prescription or nonprescription medication shall be administered at school by the school nurse or other school designee without the following requirements being met:

1. Medication shall be in the original properly labeled container. If it is a prescription medicine, the student's name, name of the drug, dosage, time for administering, name of physician and current date shall be printed on the container.
2. The school shall have received written permission from the doctor, dentist or other professional licensed to prescribe medication to administer the medication.
3. The school shall have received written permission from the parent/guardian to administer the medication. When such a request is made by a parent/guardian, a full release from the responsibilities pertaining to side effects or other medical consequences of such medications also must be presented.

All medication shall be safeguarded at school to avoid any risk that it may be improperly administered to anyone.

Self-administration of medication for asthma or anaphylaxis

A student with asthma, severe allergies, or other related, life-threatening condition may possess and self-administer medication to treat the student's asthma, anaphylaxis or other related life-threatening condition. Self-administration of such medication may occur during school hours, at school-sponsored activities, or while in transit to and from school or a school-sponsored activity. Student possession and self-administration of such medication shall be in accordance with regulation JLCD-R.

Authorization for a student to possess and self-administer medication to treat the student's asthma, anaphylaxis or other related, life-threatening condition may be limited or revoked by the school principal after consultation with the school nurse and the student's parents/guardian if the student demonstrates an inability to responsibly possess and self-administer such medication.

Sharing, borrowing or distribution of medication is prohibited. The student's authorization to self-administer medication may be revoked by the school principal after consultation with the school nurse and the student's parents/guardian and the student may be subject to disciplinary consequences, including suspension and/or expulsion, for violation of this policy.

◆ **STUDENTS WITH FOOD ALLERGIES (Policy JLCDA) – Revised July 1, 2011**

Students are being diagnosed with potentially life-threatening food allergies. To address this issue and meet state law requirements concerning the management of food allergies and anaphylaxis among students, the district sets forth the following requirements.

Health care plan

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

Reasonable accommodations

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

Access to emergency medications

Emergency medications for treatment of the student's food allergies or anaphylaxis shall be kept in a secure location accessible to designated school staff. Whenever possible and in a timely fashion, the student's parent/legal guardian shall supply the school with the medication needed for treatment of the student's food allergies or anaphylaxis, unless the student is authorized to self-carry such medication in accordance with policy JLCD, Administration of Medications.

Staff training

The principal or equivalent school administrator, in consultation with the school nurse, shall determine the appropriate recipients of emergency anaphylaxis treatment training, which shall include those staff directly involved with a student who has a known food allergy during the school day. At a minimum, the training shall prepare staff to have a basic understanding of food allergies and the importance of reasonable avoidance of agents that may cause anaphylaxis, the ability to recognize symptoms of anaphylaxis, and the ability to respond appropriately when a student suffers an anaphylactic reaction. The training shall also include instruction in the administration of self-injectable epinephrine.

◆ **MEDICAID REIMBURSEMENT (Policy JLCG) – Revised July 1, 2011**

In all cases in which a student is enrolled in the Colorado Medicaid program, the district shall seek reimbursement for health-related services rendered by qualified district staff. District staff shall make a reasonable effort to coordinate care with the student's health care provider to avoid duplication of services.

As a Medicaid provider, the district shall access Medicaid eligibility information for students from Health Care Policy and Financing ("HCPF"). HCPF is the designated Medicaid agency for the state of Colorado.

The district shall obtain written consent annually from a parent/guardian before release of any non-directory information required for billing. To accomplish this, the district shall include a consent form with the "start of school" information each fall.

All ongoing health and related services shall be rendered by qualified district staff pursuant to an individual health services plan signed by a professional qualified to provide the types of services described in the plan. The plan may be an Individual Education Plan (IEP), Individual Family Service Plan (IFSP), Section 504 Accommodation Plan or any individual health services plan.

A dated record of all transactions shall be kept on file at the school office.

◆ **SCREENING/ TESTING OF STUDENTS (AND TREATMENT OF MENTAL DISORDERS) (Policy JLDAC)**
Revised July 1, 2011

Parents/guardians and eligible students have the right to review, upon request, any survey, analysis or evaluation administered or distributed by a school to students whether created by the district or a third party. **For purposes of this policy, "eligible student" means a student 18 years of age or older or an emancipated minor.** Any survey, analysis or evaluation administered or distributed by a school to students shall be subject to applicable state and federal laws protecting the confidentiality of student records.

Survey, analysis or evaluation for which consent is required

Except as otherwise permitted by law, students shall not be required to submit to a survey, analysis, or evaluation that is intended to reveal

information, whether the information is personally identifiable or not without prior written consent of the parent/guardian or eligible student, if that survey, analysis, or evaluation reveals information in the following areas (“protected information”):

1. political affiliations or beliefs of the student or the student’s parent/guardian
2. mental or psychological problems of the student or the student’s family.
3. sex behavior or attitudes
4. illegal, anti-social, self-incriminating or demeaning behavior
5. critical appraisals of other individuals with whom the student has a close family relationship
6. legally recognized privileged or analogous relationships, such as those with lawyers, physicians and ministers
7. religious practices, affiliations or beliefs of the student or the student’s parents/guardians
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program)

School personnel responsible for administering any such survey, analysis or evaluation shall give written notice at least two weeks in advance to the student's parent/guardian or the eligible student. The notice shall offer to provide the following written information upon request:

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

These notice provisions also apply to any survey, analysis or evaluation funded by the U.S. Department of Education.

Exceptions to policy

Nothing in this section of the policy shall:

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

Surveys, analysis or evaluation for marketing purposes

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

Confidentiality

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

Annual notice

At the beginning of each academic year, the district shall inform parents/guardians and eligible students that the parent/guardian or eligible student has the right to consent before students are required to submit to a survey that concerns one or more of the protected areas and to opt out of the following:

3. Activities involving the collection, disclosure or use of personal information collected from students for the purpose of marketing or for selling that information;
4. The administration of any protected information survey; or
5. Any non-emergency, invasive physical examination or screening (other than a hearing, vision or scoliosis screening) that is:
 - Required as a condition of attendance;
 - Administered by the school and scheduled by the school in advance; and
 - Not necessary to protect the immediate health and safety of the student or of other students.

Psychiatric/psychological testing methods or procedures

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

School personnel are encouraged to discuss concerns about a student's behavior with the parent/guardian, and such discussions may include a suggestion that the parent/guardian speak with an appropriate health care professional regarding any behavior concerns that school personnel may have. Only those persons appropriately certified or licensed may expose students to any psychiatric or psychological methods or procedures for the purpose of diagnosis, assessment or treatment of any emotional, behavioral or mental disorder or disability. Such methods or procedures may only be performed after acquiring written permission from a student's parent or guardian, or from the student in those circumstances in which federal or state law allows the student to obtain such services in confidence or without prior notice to the parent/guardian..

Licensed school personnel are encouraged to be knowledgeable about psychiatric or psychological methods and procedures but shall not be involved in any diagnosis, assessment or treatment of any type of mental disorder or disability unless appropriately certified. In accordance with state law, school personnel including certified school psychologists are not authorized to practice psychotherapy or utilize any psychiatric or psychological procedure outside of or beyond their area of training, experience or competence.

Ordinary classroom instruction, activities and techniques involving the approved curriculum which teach about psychological or psychiatric methods or procedures shall be permissible and considered outside the scope of this policy. It is understood that there is a significant difference between practicing therapy and providing activities that may be therapeutic in nature. Any teacher who questions whether a planned activity is one involving psychiatric or psychological methods or procedures for which the teacher may not be properly certified or licensed shall consult with the school principal.

Special education evaluation

The giving of parental permission for evaluation or re-evaluation of a student with disabilities and any required consent to the provision of special education services to a student with disabilities is governed by state and federal law and is outside the scope of this policy.

◆ STUDENT FEES, FINES AND CHARGES (Policy JO) – Revised July 1, 2011

Students shall not be charged an instructional fee as a condition of enrollment in school or as a condition of attendance in any class that is considered part of the academic portion of the District's educational program except tuition when allowed by law. However, the district may require students to pay textbook fees, fees for expendable materials and other miscellaneous fees as more fully set forth in this policy.

All student fees and charges shall be included in the annual budget. The fees shall remain in place for that school year. All student fees shall be used for the stated purposes and shall not be spent for any other purpose.

When publicizing any information concerning any fee authorized to be collected, by this policy, the school will specify whether the fee is voluntary or mandatory and the specific activity from which the student will be excluded if the fee is not paid.

Among the fees, which may be authorized are the following:

Textbook and library resources

Textbooks shall be provided on a loan basis.

It is expected that students shall return textbooks and library resources to the school in good condition except for ordinary wear. Students shall be assessed fines for lost, damaged, or defaced books (including those checked out from the library), materials or equipment. The fine will be calculated as the amount to replace the lost, damaged, or defaced book, materials, or equipment, plus a two-dollar cataloging/processing fee.

If the school district has made a reasonable effort to obtain payment for lost or damaged textbooks or library resources to no avail, the district may then withhold the diploma, transcript or grades of any student who fails to return or replace such textbooks or library resources at the end of the semester or school year. If a student is graduating, the district may deny the privilege of participation in the graduation ceremony if the student has failed to return or replace a textbook or library resource by the date of the ceremony. Alternative payment methods, such as installment plans or school service, shall apply to students who are unable to pay.

A student shall not be refused use of textbooks based on failure to pay the required fees.

Fees for expendable supplies and materials

Teachers shall determine a basic course for each class, which can be completed with materials furnished by the school. However, students may be charged a fee for expendable supplies and materials used in the course. Fees for expendable supplies and materials shall relate directly to the actual cost of providing these materials to the student. Students shall be required to pay for materials that go into ship, crafts, or art projects that are above the basic requirements for the course and are to be retained by the student.

Miscellaneous fees

Students may be asked to pay miscellaneous fees on a voluntary basis as a condition of attending, participating in, or obtaining materials/clothing/equipment used in a school-sponsored activity or program not within the academic portion of the educational program.

Fees for the use of items such as choral robes, band uniforms and school-owned instruments shall be recommended by the superintendent and included in the annual budget.

Students participating in activities, which are not required by the teacher or used in the determination of a grade may be required to pay charges covering the cost of the activity. Such charges may include but are not limited to admission fees, food costs and transportation costs on field trips. However, it is incumbent upon the teacher and principal to make every effort to be sure no student is denied the right to participate in trips or other enrichment activities because of lack of funds.

The district may impose and collect a fee for the payment of excess transportation costs in accordance with state law. Only those students who use the district's transportation services shall be required to pay any transportation fee.

Waiver of fees

All fees, fines, and charges for textbooks and expendable supplies and materials required for classes within the academic portion of the educational program and any transportation fee, shall be waived for indigent students. For purposes of determining if a student is able to pay, an indigent student is defined as any child who is eligible for a free or reduced price lunch under the federal poverty income guidelines.

All fees for textbooks, expendable supplies and materials, and miscellaneous fees shall be waived for students in out-of-home placements, as that term is defined by C.R.S 22-32-138 (1)(e).

Fee schedule

The district shall prepare and make available upon request a complete list of student fees, describing how the amount of each fee was derived and the purpose of each fee. This list shall be published in the annual budget document of the district.

Parents shall be informed on the fee schedule or otherwise regarding how to apply for a waiver of fees, whether fees are voluntary or mandatory and the specific activity from which the student will be excluded if the fee is not paid. Students qualifying for a fee waiver will receive it without unnecessary embarrassment or public exposure of their need.

◆ SHARING OF STUDENT RECORDS/INFORMATION BETWEEN SCHOOL DISTRICT AND STATE AGENCIES **(Policy JRCA) – Revised July 1, 2011**

It is the district's intention to utilize all avenues under state law to facilitate the sharing of relevant student records and information when necessary to protect the safety and welfare of school district staff, visitors, students, and the public and to protect property.

The superintendent shall develop procedures and a training program for staff consistent with this policy. The procedures shall direct school district personnel to provide and obtain student records and information to/from state agencies, including law enforcement and judicial department agencies, to the extent required or allowed by state and federal law.

Sharing of information by the district

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

School personnel who share disciplinary and attendance information concerning a student pursuant to this policy are immune from civil and criminal liability if they act in good faith compliance with state law.

Nothing in this policy shall prevent administrators, teachers or staff from disclosing information derived from personal knowledge or observation and not derived from student's education records.

Information obtained from state agencies

Within the bounds of state law, district personnel shall seek to obtain such information regarding students as is required to perform their legal duties and responsibilities, including protecting public safety and safety of the student. Such information may be obtained from the judicial department or any state agency that performs duties and functions under the Colorado Children's Code.

District personnel receiving such information shall use it only in the performance of their legal duties and responsibilities and shall otherwise maintain the confidentiality of all information obtained. School personnel who knowingly violate this provision are subject to disciplinary action pursuant to district policy and to a civil penalty of up to \$1,000.

If such information is shared with another school or school district to which a student may be transferring, it shall only be shared in compliance with the requirements of federal law, including the Family Education Rights and Privacy Act of 1974 ("FERPA").

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

The information shall be used by the superintendent to determine whether the student has exhibited behavior that is detrimental to the safety, welfare, and morals of the other students or school personnel and whether educating the student in the school may disrupt the learning environment in the school, provide a negative example for other students, or create a dangerous and unsafe environment for students, teachers, and other school personnel. The district shall take appropriate disciplinary action, which may include suspension or expulsion, in accordance with the student code of conduct and related policies.

◆ STUDENT RECORDS/ RELEASE OF INFORMATION ON STUDENTS (Policy JRA/JRC-E) – Revised July 1, 2011

1. Content and custody of records

Student education records in all formats and media, including photographic and electronic 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; special education records; health and medical information; family background information; teacher or counselor ratings and observations, reports of serious or recurrent behavior patterns, and any individual education program (IEP).

Education records do not include records maintained by a law enforcement unit of the school or district that are created by that unit for the purpose of law enforcement.

Nothing in this policy shall prevent administrators, teachers or staff from disclosing information derived from personal knowledge or observation and not derived from a student's education records.

All requests for inspection and review of student education records and requests for copies of such records, as well as disclosure of any personally identifiable information, except as provided by law, shall be maintained as part of each individual's record. The principal shall be the official custodian of the records of students in his/her school.

2. Access to records by parents and eligible students

A parent/guardian ("parent") has the right to inspect and review his or her child's education files. However, if a student is 18 years old or older ("eligible student"), the student may inspect or review his or her own records and provide written consent for disclosure of such records and personally identifiable information therein. If an eligible student is a dependent for federal income tax purposes, the parent also is entitled to access his or her child's educational records despite the lack of written consent from the eligible student.

During inspection and review of student records by a parent or eligible student and when requested by them, the principal will provide personnel necessary to give explanations and interpretations of the student records within three working days after the request has been made.

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 (*or designee*), upon receipt of the written request, shall provide access to inspect and review the records and set a date and time for such inspection and review. In no case will the date set be more than three working days after the request has been made.

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 personnel such as the assistant principal, counselor or teacher may be so designated.

The record itself shall not be taken from the school building. However, upon request, one copy of the records shall be provided within a reasonable time to the parent/guardian or eligible student at a cost of the current copy rate per page.

3. Requesting records from other districts/schools

When a student transfers to this district from another district, the receiving school shall request the student's records from the transferring district if the records have not already been forwarded to the receiving school.

4. Transferring records to other school districts/post secondary institution

Student records, including disciplinary records, may be transferred without consent to officials of another school, school system, or post secondary institution that has requested the records and in which the student seeks or intends to enroll. The district will provide a copy of the record to the eligible student or student's parents if so requested.

5. Requesting and receiving information and records from state agencies

Within the bounds of state law, district personnel shall seek to obtain such information regarding students as is required to perform their legal duties and responsibilities, including protecting public safety and the safety of the student. Such information may be obtained from the judicial department or any state agency that performs duties and functions under the Colorado Children's Code.

District personnel receiving such information shall use it only in the performance of their legal duties and responsibilities and shall otherwise maintain the confidentiality of all information obtained.

If such information is shared with another school or school district to which a student may be transferring, it shall only be shared in compliance with the requirements of federal law, including the Family Education Rights and Privacy Act of 1974 ("FERPA").

6. Requests to amend education records

A parent or eligible student may ask the district to amend a record they believe is inaccurate, misleading or otherwise violates the privacy rights of the student by writing to the school principal clearly identifying the part of the record they want changed and specifying why it is inaccurate, misleading or otherwise violates the privacy rights of the student. The request to the principal to amend a student's records must be made in writing within ten school days of the date the records were first examined.

If the principal, after consulting with any other person having relevant information, decides not to amend the record as requested by the parent or eligible student, the principal shall notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures shall be provided to the parent or eligible student when notified of the right to a hearing.

A request for a formal hearing must be made in writing and addressed to the superintendent. The response to the request shall be mailed within 10 school days. The hearing shall be in accordance with the following:

- a. The hearing shall be held within 15 school days after receipt of the request. Notice of the date, place, and time of the hearing will be forwarded to the parent/guardian or eligible student by certified mail.
- b. 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 be the principal who made the initial decision nor shall it be anyone with a direct interest in the outcome of the hearing.
- c. Parents/guardians or eligible students shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of their choice at their own expense, including an attorney.
- d. The official designated above shall make a decision in writing within ten school days following the conclusion of the hearing and shall notify the parent/guardian or eligible student of the decision by certified mail.

- e. 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.
- f. The decision shall include a statement informing the parents/guardians or eligible students 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 district. If the student record is disclosed by the school to any other party the explanation shall also be disclosed to that party.

7. Disclosure with written consent

Whenever the district is required by law or policy to seek written consent prior to disclosing personally identifiable information regarding a student, the notice provided to the parent/guardian or eligible student shall contain the following:

- a. The specific records to be released
- b. The specific reasons for such release
- c. The specific identity of any person, agency or organization requesting such information and the intended uses of the information
- d. The method or manner by which the records will be released
- e. The right to review or receive a copy of the records to be released

Parent or eligible student consent shall only be valid for the specific instance for which it was given. Consent for a student to participate in any course, school activity special education program or in any other school program shall not constitute the specific written consent required.

All signed consent forms shall be retained by the district.

8. Disclosure without written consent

The district will disclose personally identifiable information from student records without written consent of the parent or eligible student only to those persons or entities allowed under federal or state law to receive such information.

The district may disclose group scholastic achievement data from which the individual cannot be identified without written consent of the parent or eligible student. Another circumstance that permits disclosure without written consent is disclosure to a school official within the district having a legitimate educational interest in the education record or the personally identifiable information contained therein.

For purposes of this policy, a “school official” is a person employed by the district as an administrator, supervisor, teacher 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, auditors, consultants and health care providers); or a parent/guardian or student serving on an official committee or assisting another school official in performing his or her tasks.

A school official has a “legitimate educational interest” if disclosure to the official is:

- (1) Necessary for that official to perform appropriate tasks that are specified in his or her position description or by a contract agreement;
- (2) Used within the context of official district business and not for purposes extraneous to the official’s areas of responsibility;
- (3) Relevant to the accomplishment of some task or to a determination about the student; and
- (4) Consistent with the purposes for which the data are maintained.

Other circumstances that permit disclosure without written consent are listed in the notice to parents and students of rights concerning student records (JRA/JRC-E-1).

9. Disclosure of disciplinary information to school personnel

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

Any teacher or counselor to whom disciplinary information is reported shall maintain the confidentiality of the information and shall not communicate it to any other person. The principal or designee is required to inform the student and the student’s parent/guardian when disciplinary information is communicated and to provide a copy of the disciplinary information. The student

and/or the student's parent/guardian may challenge the accuracy of such disciplinary information through the process outlined in the notice to parents and students of rights concerning student records (JRA/JRC-E-1).

10. **Disclosure to military recruiting officers**

Names, addresses and home telephone numbers, as well as directory information, of secondary school students will be released to military recruiting officers within 90 days of the request unless a parent or student submits a written request that such information not be released. Reasonable and customary actual expenses directly incurred by the district in furnishing this information will be paid by the requesting service.

11. **Disclosure to Medicaid**

In all cases in which a student is enrolled in the Colorado Medicaid program, the district shall release directory information consisting of the student's name, date of birth and gender to Health Care Policy and Financing (Colorado's Medicaid agency) to verify Medicaid eligibility of students. The district shall obtain written consent annually from a parent/guardian before the release of any non-directory information required for billing. To accomplish this, the district shall include a consent form with the "start of school" information each fall.

12. **Disclosure to criminal justice agencies**

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

13. **Disclosure to the Colorado Commission on Higher Education (CCHE)**

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

14. **Disclosure to other parties**

Except as noted in this policy, student records will not be released to other individuals and parties without a written request and authorization of the parents or eligible student.

15. **Disclosure of directory information**

The 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 directory information if 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 a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information which may be released includes but is not limited to the student's name, e-mail address, photograph, 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, honors 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 shall not be disclosed pursuant to this section.

16. **Annual notification of rights**

The district will notify parents and eligible students of their rights pursuant to this policy at the beginning of each academic year. The notice will be in the form provided on exhibit JRA/JRC-E. For notice to parents or eligible students who are disabled or whose primary or home language is other than English, the format or method of notice will be modified so it is reasonably likely to inform them of their rights.

A copy of the Family Education Rights and Privacy Act and this policy may be obtained from the office of the superintendent during normal business hours.

17. **Waivers**

A parent or eligible student may waive any or all of his or her rights protected by this policy. The waiver shall not be valid unless in writing and signed by the parents or eligible student. The district does not require a waiver but may request a waiver. Any waiver under this provision may be revoked at any time in writing.

- ◆ **STUDENT RECORDS/ RELEASE OF INFORMATION ON STUDENTS (NOTIFICATION TO PARENTS AND STUDENTS OF RIGHTS CONCERNING SCHOOL RECORDS) (Policy JRA/JRC-E-1) – Revised July 1, 2011**

The Family Educational Rights and Privacy Act (FERPA) and Colorado law afford parents/ guardians and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records, as follows:

1. The right to inspect and review the student’s education records within 3 days of the district receiving a request for access.

A parent or eligible student making such a request must submit to the school principal a written request that identifies their records they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate, misleading or otherwise violates the privacy rights of the student.

A parent or eligible student may ask the district to amend a record they believe is inaccurate, misleading or otherwise violate the privacy rights of the student by writing to the school principal clearly identifying the part of the record they want changed and specifying why it is inaccurate, misleading or otherwise violates the privacy rights of the student.

If the principal decides not to amend the record as requested, the principal will notify the parents/guardians or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosure of personally identifiable information contained in the student’s education records, except to the extent that FERPA and state law authorize disclosure without consent.

Whenever the district is required by law or policy to seek written consent prior to disclosing personally identifiable information regarding a student, the notice provided to the parent/guardian or eligible student shall contain the following:

- a. The specific records to be released;
- b. The specific reasons for such release;
- c. The specific identity of any person, agency or organization requesting such information and the intended uses of the information;
- d. The method or manner by which the records will be released; and
- e. The right to review or receive a copy of the records to be released.

Parent or eligible student consent shall only be valid for the specific instance for which it was given. Consent for a student to participate in any course, school activity special education program or in any other school program shall not constitute the specific written consent required.

All signed consent forms shall be retained by the school district.

Disclosure of personally identifiable information can be made without consent to the following:

- a. A school official within the district, who has a legitimate educational interest in the education record or the personally identifiable information contained therein. A school official is a person employed by the district as an administrator, supervisor, teacher, 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 an attorney, auditor, consultant or health care provider); or a parent or student serving on an official committee, or assisting another school official in performing his or her tasks.

A school official has “legitimate educational interest” if disclosure to the official is:

- (1) Necessary for that official to perform appropriate tasks that are specified in his or her position description or by a contract agreement;
 - (2) Used within the context of official district business and not for purposes extraneous to the official’s areas of responsibility;
 - (3) Relevant to the accomplishment of some task or to a determination about the student; and
 - (4) Consistent with the purposes for which the data are maintained.
- b. Officials of another school or school system or post-secondary institution that has requested the records and in which the student seeks or intends to enroll. In this case, disciplinary information may be included. The district will provide a copy of the record to the eligible student or student's parents if so requested.

- c. In connection with a student's application for or receipt of financial aid.
- d. A criminal justice agency investigating a criminal matter concerning a student enrolled or who will enroll in the school district when necessary to effectively serve the student prior to trial. Such information shall only include disciplinary and attendance information and shall only be shared upon certification by the criminal justice agency that the information will not be disclosed to any other party, except as specifically authorized or required by law, without the prior written consent of the student's parent/guardian.
- e. Educational testing and research organizations for the purpose of administering student aid programs or improving instruction or predictive tests as long as confidentiality is maintained and such organizations are required to destroy records after they no longer are needed.
- f. Accrediting institutions to carry out their accrediting functions.
- g. Parents of students over 18 years of age which are dependent for federal income tax purposes.
- h. In emergency situations to appropriate persons if the information is necessary to protect the health or safety of the student or others.
- i. Anyone if required by a court order or subpoena. The district will make reasonable efforts to notify the parent or eligible student prior to complying with the subpoena or court order. The district will not provide such notice if the subpoena is issued by a federal grand jury or any other law enforcement purpose where the courts has ordered non-disclosure of the existence or contents of the subpoena or information furnished.
- j. A court presiding over a legal action initiated by the school district where the education records are relevant, or initiated by a parent or eligible student where the records are relevant for the school district's defense.

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

- 4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605

- 5. The right to refuse to permit the designation of any or all of the categories of directory information.

The district is permitted by law to disclose directory information without written consent of the parent or eligible student. "Directory information" means information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. The parent or eligible student has the right to refuse to permit the designation of any or all of the categories of directory information if 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 which may be released includes but is not limited to the student's name, e-mail address, photograph, 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, honors 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 shall not be disclosed pursuant to this section.

- 6. The right to request that information be provided to military recruiting officers. Names, addresses and home telephone numbers of secondary school students will be released to military recruiting officers unless a parent or student submits a written request that such information not be released.

◆ **INTERNET SAFETY PLAN TERMS AND CONDITIONS FOR USE OF THE EAGLE COUNTY SCHOOL DISTRICT RE50J WEB, EMAIL AND INTERNET SERVICES (Policy JS-E) – Revised July 1, 2011**

ECSD Network and Internet Services - Terms and Conditions

A. Acceptable Use - The purpose of Eagle County School District Re50J (ECSD) Network and Internet Services is to support education in Eagle County School District Re50J and to provide students and the public with access to school and District information via the web. Use of the system must be consistent with the philosophy and educational objectives of Eagle County School District Re50J. All communications and information made accessible via the ECSD Network and Internet Services should be assumed to be private property subject to copyright and trademark laws, and should not be reproduced without permission of the party who issued the information. This includes, but is not limited to, copyrighted material, threatening or obscene material, or material protected by trade secret. Use of the ECSD Web Services and

Email for political lobbying, product advertisement, gambling, soliciting customers or investors, is not permitted. Illegal activities are strictly prohibited. Notify system administrators of any violations of these terms and conditions.

B. Expectations - Users are expected to abide by the generally accepted rules of network etiquette and confidentiality. These include, but are not limited to:

1. Do not produce web pages or email that contain abusive, obscene, vulgar, defamatory, confidential, or threatening information. Do not post secret or proprietary material.
2. Use of graphics, sound, or animations which you did not create, must credit the original producer of the material, and state how permission to use the material was obtained.
3. The system administrator and District administrators can access ECSD web pages and email and will cooperate with authorities to investigate pages related to, or in support of illegal activities. System use relating to or in support of illegal activities, as well as inappropriate pages pursuant to District policy, may result in revocation of system use privileges, termination of employment, commencement of legal action and/or District disciplinary action.
4. Treat all communications and information as private property. Student work may be published only as it relates to class projects, courses, or other school related activities and only with the permission of the person who created it.
5. Posted work must be free of any spelling or grammatical errors.
6. Never reveal personal information such as your address and phone number or those of other students.. Do not reveal the names of other family members.
7. Never post pictures, projects or audio/video clips of students, employees or others associated with the District or post pictures and include personal information such as name, age, address or phone number without their permission. Pictures should be focused on the activity or project not on the child.
8. Never publish an individual's personal e-mail address other than a school email address.
9. Students must not provide web pages for other non-authorized users.
10. Personal web pages cannot make use of server-side processing, such as CGI, Java, ActiveX programming, server-side image mapping, access control, or similar techniques requiring access to or special configuration of the web server software without permission of the administrator.

C. Privileges - The use of ECSD Internet Services is a privilege, not a right, and inappropriate use can result in loss of that privilege. The District system administrators will determine what is inappropriate use of the system based on the guidelines outlined in this document and other board policy. The system administrators may suspend or close an account at any time as required. The administration may also request that the system administrator revoke or suspend specific user accounts to serve educational or disciplinary objectives. Inappropriate use may also result in School District disciplinary action, and /or legal action.

D. Reliability - Eagle County School District Re50J makes no warranties of any kind, whether expressed or implied, for the service it is providing. Eagle County School District Re50J specifically denies any responsibility for accuracy or quality of information posted through its services by students. Eagle County School District Re50J will not be responsible for any damages suffered.

E. Vandalism - Vandalism is defined as any attempt to harm or destroy ECSD data, data of other users, or any other web sites that can be reached through the system. Introduction of viruses into the system is vandalism. Vandalism will result in cancellation of privileges, fines, school discipline, and/or legal action as the District believes appropriate.

F. Account Information - Eagle County School District Re50J may require new registration and account information from users to continue the service provided. Users must inform system administrators of any changes in account information. ECSD will not provide information about email accounts to other parties.

G. Personal Use - Use of district network for personal communications with family and friends is appropriate as long as it does not violate other policies or interfere with work assignments. Students should have no expectation of privacy when using electronic email. Care should be exercised when using electronic mail, chat rooms, and other forms of direct electronic communications. Never agree to meet with someone you have met online.

H. Right to Review and Open Records - The district reserves the right to review, store and disclose all information sent over the district email system for any legally permissible reason, including, but not limited to determining whether the information is public record, whether it contains information discoverable in litigation or to access district information.

I. Filtering – Firewall and Content Filtering Technologies are installed to prevent access to unproductive, objectionable and unacceptable content. The Content Filter List, available by subscription, automatically updates content filters weekly with new and relocated sites, extending ECSD protection and reducing administrative costs. The categories filtered include Violence/Profanity, Partial Nudity, Full Nudity, Sexual Acts, Gross Depictions, Intolerance, Satanic/Cult, Drug Culture. Militant/Extremist, Sex Education, Gambling/Questionable/Illegal, Alcohol/Tobacco. Even though these sites are filtered using technology, no filtering system is perfect. There is no guarantee that users of the ECSD Internet connections will never view sites that fall into the above categories. Report any filtering problems to the system administrator.

J. Terms and Conditions - All terms and conditions as stated in this document are applicable to Eagle County School District Re50J. These terms and conditions reflect the entire agreement of the parties and supersedes all prior oral or written agreements and understandings of the parties. These terms and conditions shall be governed and interpreted in accordance with the laws of the

State of Colorado, and the United States of America.

Student Section

I understand and will abide by the Eagle County School District Network and Internet Acceptable Use Policy. I further understand that any violation of the regulations is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked, school disciplinary may be taken, and/or appropriate legal action may be taken.

Student Name: _____ Graduation Year _____

Please Print

Student Signature: _____ Date _____

Password (four or more characters) _____

Parent or Guardian Section

As the parent or guardian of the student signing above, I have read this the Eagle County School District Network and Internet Acceptable Use policy and grant permission for my son or daughter to access the network and Internet. I understand that the district’s computing resources are designed for educational purposes. I also understand that it is impossible for the Eagle County School District to restrict access to all controversial materials and I will not hold the District or its employees or agents responsible for the materials acquired on the network. I understand that individuals and families may be held liable for violations while using the Eagle County School District Network and Internet.

Parent Name: _____ Phone: _____

Please Print

Parent Signature: _____ Date: _____

This space reserved for office use only:

Fee Received: _____

User Name Established _____

Password Entered _____

◆ **VISITORS TO SCHOOLS (Policy KI) – Revised July 1, 2011**

The district will make reasonable efforts to accommodate requests to visit the district’s schools, yet also recognizes concerns for the welfare of students. Therefore, the district limits visitors to:

1. Parents/guardians of current students;
2. Other family members of current students who are approved by the student’s parent/guardian; and
3. Board members and other persons invited by the district for official business purposes.

To ensure visitors do not disrupt the educational process or other school operations and that no unauthorized persons enter schools, all visitors shall report to the school office immediately when entering a school. Authorized visitors may: (1) be required to sign in and out; (2) be given name-tags to wear identifying themselves as visitors; and (3) be accompanied by a district employee for some or all of the visit. School administrators may approve additional building procedures pertaining to school visitors go preserve a proper and safe learning environment. All visitors shall observe the protocols for photography and student interaction during class time.

Unauthorized persons shall not loiter on school property at any time. Law enforcement authorities may be called to enforce this policy provision.

Visiting schools is a privilege, not a right, which may be limited, denied or revoked by a school administrator or designee based on considerations of student and/or staff safety, efficient school operations, maintenance of a proper educational environment, or failure to comply with this policy.

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