



**LITTLETON
PUBLIC 
SCHOOLS**

2023–2024 STUDENT & FAMILY HANDBOOK CODE OF CONDUCT

TABLE OF CONTENTS

| | |
|---|-----------|
| BOARD OF EDUCATION..... | 4 |
| ADMINISTRATIVE STAFF..... | 4 |
| NON-DISCRIMINATION DISCLOSURE..... | 4 |
| DISTRICT POLICIES AND PROCEDURES..... | 4 |
| LETTER FROM THE SUPERINTENDENT..... | 5 |
| STUDENT BEHAVIORS THAT MAY LEAD TO DISCIPLINARY ACTION..... | 6 |
| CONDUCT AND DISCIPLINE CODE..... | 7 |
| Sexual Harassment of Students (Board Policy JBB)..... | 7 |
| District's Commitment..... | 7 |
| Sexual Harassment Defined..... | 8 |
| Reporting, Investigation, and Sanctions..... | 8 |
| Notice and Training..... | 8 |
| Compulsory Attendance (Board Policy JEA)..... | 8 |
| Admission and Denial of Admission (Board Policy JF)..... | 9 |
| Admission..... | 9 |
| Denial of Admission..... | 9 |
| Nondiscrimination..... | 9 |
| Regulation for Board Policy JF..... | 9 |
| Students in Out-of-Home Placements..... | 10 |
| Student Absences and Excuses (Board Policy JH)..... | 10 |
| Excused Absences..... | 11 |
| Unexcused Absences..... | 11 |
| Chronic Absenteeism..... | 11 |
| Tardiness..... | 12 |
| Truancy (Board Policy JHB)..... | 12 |
| Student Conduct (Board Policy JIC)..... | 13 |
| Student Dress Code (Board Policy JICA)..... | 14 |
| Student Conduct in School Vehicles (Board Policy JICC)..... | 14 |
| Student Code of Conduct (Board Policy JICDA)..... | 15 |
| Violent and Aggressive Behavior (Board Policy JICDD)..... | 16 |
| School-Related Student Publications (Board Policy JICEA)..... | 17 |
| Regulation for Board Policy JICEA..... | 17 |
| Student Distribution of Non-Curricular Materials (Board Policy JICEC)..... | 18 |
| Regulation for Board Policy JICEC..... | 19 |
| Student Expression Rights (Board Policy JICED)..... | 20 |
| Gang Activity/Secret Societies (Board Policy JICF)..... | 20 |
| Tobacco-Free Schools (Board Policy ADC)..... | 20 |
| Drug and Alcohol Use by Students (Board Policy JICH)..... | 21 |
| Regulation for Board Policy JICH..... | 23 |
| Weapons in School (Board Policy JICI)..... | 24 |

| | |
|---|-----------|
| Student Use of Cell Phones and Other Personal Technology Devices (Board Policy JICJ)..... | 26 |
| Student Interviews, Interrogations, Searches and Arrests (Board Policy JIH)..... | 26 |
| Student Discipline (Board Policy JK)..... | 29 |
| Regulation for Board Policy JK..... | 30 |
| Use of Physical Intervention and Restraint (Board Policy JKA)..... | 32 |
| Disciplinary Removal From Classroom (Board Policy JKBA)..... | 33 |
| Regulation for Board Policy JKBA..... | 34 |
| Suspension/Expulsion of Students (And Other Disciplinary Interventions) (Board Policy JKD/JKE)..... | 37 |
| Regulation for JKD/JKE..... | 39 |
| Suspension/Expulsion of Students With Disabilities (Board Policy JKD/JKE-2)..... | 42 |
| Regulation for Board Policy JKD/JKE-2..... | 42 |
| Educational Alternatives for Expelled Students (Board Policy JKF)..... | 44 |
| Regulation for Board Policy JKF..... | 45 |
| Expulsion Prevention (Board Policy JKG)..... | 45 |
| GENERAL INFORMATION..... | 46 |
| Nondiscrimination/Equal Opportunity (Board Policy AC)..... | 46 |
| Regulation for Board Policy AC..... | 49 |
| Nondiscrimination on the Basis of Disability (Board Policy AC-E-1)..... | 51 |
| Students with Food Allergies (Board Policy JLCDA)..... | 52 |
| EXHIBIT FOR BOARD POLICY JLDAC..... | 53 |
| Sex Offender Information (Board Policy JLFF)..... | 54 |
| Student Fees, Fines, and Charges (Board Policy JQ)..... | 55 |
| Student Records/Release of Information on Students (Board Policy JRA/JRC)..... | 56 |
| Regulation 1 For Board Policy JRA/JRC..... | 62 |
| Regulation 2 For Board Policy JRA/JRC..... | 64 |
| Regulation 4 For Board Policy JRA/JRC..... | 64 |
| Notification to Parents and Students of Rights Concerning Student School Records..... | 65 |
| ADDITIONAL NOTICES..... | 66 |
| School Resource Officers and the Family Educational Rights and Privacy Act (FERPA)..... | 66 |
| Student Use of the Internet (Board Policy JS)..... | 66 |
| Blocking or Filtering Obscene, Pornographic and Harmful Information..... | 66 |
| No Expectation of Privacy..... | 67 |
| Security..... | 67 |
| Safety..... | 68 |
| Vandalism..... | 68 |
| Unauthorized Content..... | 68 |
| Assigning Student Projects and Monitoring Student Use..... | 68 |
| Student Use is a Privilege..... | 69 |
| School District Makes No Warranties..... | 69 |
| Parent/Guardian Transportation Disclosure..... | 69 |

BOARD OF EDUCATION

Angela Christensen, President
Robert Reichardt, Vice President
Andrew Graham, Secretary
Joan Anderssen, Assistant Secretary
Lindley McCrary, Treasurer

ADMINISTRATIVE STAFF

Todd Lambert, Superintendent
Melissa Cooper, Assistant Superintendent of Learning Services
Dr. Sheri Charles, Assistant Superintendent of Human Resources
Jonathan Levesque, Chief Financial Officer
Terry Davis, Chief Operations Officer
Diane Leiker, Chief Communications Officer

NON-DISCRIMINATION DISCLOSURE

Littleton Public Schools does not discriminate on the basis of race, color, national origin, ancestry, creed, age, religion, sex (which includes transgender and gender identity), marital status, sexual orientation, disability, or need for special education services in its programs or activities.

The following individuals have been designated to handle inquiries regarding the non-discrimination policies, including Title IX and Section 504 inquiries:

For inquiries related to staff:

Dr. Sheri Charles,
Assistant Superintendent of Human Resources
303-347-3375
5776 S. Crocker St. Littleton, CO 80120
scharles@lps.k12.co.us

For inquiries related to students:

Melissa Cooper, Assistant Superintendent of Learning Services
303-347-3472
5776 S. Crocker St. Littleton, CO 80120
mrcooper@lps.k12.co.us

DISTRICT POLICIES AND PROCEDURES

Littleton Public Schools is required to inform you about certain policies, including those concerning discipline, records, Title IX, and Section 504 grievance procedures. This handbook provides you with that information. Letter references following section titles refer to the Board of Education policy from which the section is taken. Complete Board policies are available in each school and at the Education Services Center, as well as on the District's Website, www.littletonpublicschools.net.

LETTER FROM THE SUPERINTENDENT

Fall 2023

Dear Parents and Guardians,

Thank you for being part of the Littleton Public Schools learning community. We feel fortunate to have the opportunity to educate your child, and we look forward to a successful 2023-2024 school year. Our District Achievement Goal states, “One hundred percent of LPS students will graduate prepared for meaningful post-secondary opportunities.” Students grow intellectually, academically, physically, and emotionally a great deal during these years. We want to help students of all ages make good choices and develop a strong sense of character along the way. We also believe systems need to be in place that allow students to recover when poor choices are made. This is possible only if students, parents, teachers, and administration take a team approach and work together as a community.

Mutual respect, high behavior standards, and consistent enforcement of discipline are conducive to safe and productive learning environments. The Littleton Public Schools Student Code of Conduct outlines standards and expectations for behavior for all students. All of the policies referenced in the [Code of Conduct](#) are available in their entirety online. Every school will have additional expectations that define and support the unique culture and climate of that particular school. We value the involvement of parents and family members, and we encourage you to visit the [LPS website](#) under “Find Support” for information and resources for parents and students. We look forward to partnering with you to ensure that your student is fully prepared to be successful in the future!

If you have questions about these expectations, please contact your school’s principal for additional information.

Warmest Regards,

Todd Lambert
Superintendent

STUDENT BEHAVIORS THAT MAY LEAD TO DISCIPLINARY ACTION

Behavior on or off school property that is detrimental to the welfare or safety of other students or of District employees, including behavior that creates a threat of physical harm to the child or to other children, may lead to suspension or expulsion.

Expulsion shall be mandatory for possessing a firearm, whether loaded or unloaded, as described in the Gun-Free Schools Act, §20 U.S.C. 7151 or C.R.S. 18-1-901 (3)(h). When a student has violated the weapons policy with a firearm, the principal shall initiate expulsion proceedings immediately.

The principal or District employee designated in writing by 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 or off school property, in school vehicles, or during a school-sponsored activity, or when the conduct has a reasonable connection to school or any District curricular or non-curricular event.

1. Commission of an offense that would constitute a crime of violence as defined in state law if committed by an adult. Crimes of violence include use or possession of a deadly weapon, sale of a drug or controlled substance, robbery, and assault.
2. Commission of any act which if committed by an adult would be robbery or assault as defined by state law.
3. Carrying, bringing, using, or possessing a dangerous weapon without the authorization of appropriate District employees, unless the student has delivered the weapon to a teacher, administrator, or other authorized District employee as soon as possible upon discovering it, in accordance with state law.
4. Possessing knives of any length that do not meet the definition of a dangerous weapon, as defined by Board Policy JICI, is prohibited.
5. 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.
6. Declaration that the student is habitually disruptive.
7. Threatening behavior which is any expression, direct or indirect, made in writing, orally, or by gesture, of intent to inflict harm, injury, or damage to persons or property.
8. Misuse of computers, the internet, cell phones, digital audio/video players, personal digital devices or other technology, including, but not limited to, threats against persons or property, gaining unauthorized access to confidential information, the unauthorized reproduction of school or legal documents, copyright violations, publication and distribution in any print or non-print media that is unauthorized, attempts to harm or destroy data of another user, improper use of the internet or electronic mail, vandalism, solicitation, uploading, downloading, or creation of computer viruses, and tampering with operating systems or data.
9. Violation of District or school regulations, including but not limited to conduct, attendance, dress, bus, and motor vehicle use regulations.
10. Violation of the District's gang activity policy.
11. Violation of the District's smoking and use of tobacco policy.
12. Violation of the District's sexual harassment policy.
13. Violation of the District's student dress code policy.
14. Violation of the District's student expression rights policy.
15. Violation of the District's student distribution of non-curricular materials policy.
16. Continued willful disobedience or open and persistent defiance of proper authority, including deliberate refusal to obey a member of the school staff.
17. Repeated interference with the District's ability to provide educational opportunities to other students. Causing or attempting to cause damage to school property or stealing or attempting to steal school property of value.
18. Causing or attempting to cause damage to private property or stealing or attempting to steal private property. Causing or attempting to cause physical injury to another person except in self-defense.

19. Causing or attempting to cause physical injury to another person except in self-defense.
Directing profanity, vulgar language, or obscene gestures toward other students, District employees, or visitors to school.
20. Engaging in bullying behavior which is any written or verbal expression, or physical or electronic act or gesture, or a pattern thereof, that is intended to coerce, intimidate, or cause any physical, mental, or emotional harm to any student. 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 against whom federal and state laws prohibit discrimination upon any of the bases described in C.R.S. 22-32-109(1)(11)(I). This definition is not intended to infringe upon any right guaranteed to any person by the First Amendment to the United State Constitution or to prevent the expression of any religious, political, or philosophical views.
21. Engaging in verbal abuse, i.e., name calling, ethnic or racial slurs, or derogatory statements addressed publicly to others that can precipitate disruption of the school program or incite violence.
22. Engaging in verbal or physical harassment or intimidation of any staff member, another student, or any person.
23. 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.
24. Lying or willfully giving false information, either verbally or in writing, to a District employee.
25. Scholastic dishonesty, which includes, but is not limited to, cheating on a test, plagiarism, and unauthorized collaboration with another person in preparing written work.
26. Engaging in or planning any form of verbal or physical hazing or initiation of other students. Hazing includes, but is not limited to, forcing prolonged physical activity, forcing excessive consumption of any substance, forcing prolonged deprivation of sleep, food, or drink, or any other behavior that recklessly endangers the health or safety of an individual or is likely or intended to cause personal degradation or disgrace for purposes of initiation into any student group.
27. Stalking behavior, which is the persistent following, contacting, or watching of an individual, or any other threatening actions that would compromise the peace of mind or the personal safety of a reasonable individual.
28. Terrorism, which is the 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.
29. Making a false accusation of criminal activity against a District employee to law enforcement or to the District.

CONDUCT AND DISCIPLINE CODE

Sexual Harassment of Students (Board Policy JBB)

The Board 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 that prohibit sex discrimination as addressed in the Board's policy concerning unlawful discrimination and harassment.

District's Commitment

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

Sexual Harassment Defined

Pursuant to Title IX of the Educational Amendments of 1972, "sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

1. A school employee conditioning education benefits on participation in unwelcome sexual conduct (i.e. quid pro quo);
2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
3. Sexual assault, dating violence, domestic violence, or stalking.

Pursuant to state law, "harassment" means creating a hostile environment based on an individual's sex.

Reporting, Investigation, and Sanctions

Students are encouraged to report all incidents of sexual harassment to either a teacher, counselor or principal in their school building and file a complaint, through the district's complaint process addressing sex-based discrimination. All reports and indications from students, district employees and third parties shall be forwarded to the Title IX Coordinator.

The district will initiate and conduct an investigation in accordance with the appropriate procedures addressing sex-based discrimination and sexual harassment.

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

The district will take appropriate corrective action to: make the harassed student whole by restoring lost educational opportunities; prevent harassment from recurring; or prevent retaliation against anyone who reports sexual harassment or participates in a harassment investigation.

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 and complaint procedures to all district schools and departments. The policy and complaint procedures must be referenced in student and employee handbooks and otherwise be made available to all students, staff, and members of the public through electronic or hard-copy distribution.

All students and district employees shall receive periodic training related to recognizing and preventing sexual harassment. District employees shall receive additional periodic training related to handling reports of sexual harassment.

Compulsory Attendance (Board Policy JEA)

Every child who has attained the age of six years on or before August 1 of each year and is under the age of seventeen is required to attend public school with such exceptions as provided by law. It is the obligation of every parent, guardian, or legal custodian to ensure that every child under such parent's care and supervision receives adequate education and training.

Each school may notify in writing the parents, guardians, or legal custodians of all students at the beginning of each school year, or upon enrollment, of their obligation to ensure that all children of compulsory attendance age attend school. Parents, guardians, or legal custodians of students enrolled in the District may 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.

Admission and Denial of Admission (Board Policy JF)

Admission

All persons age six and under 21 who have not graduated from high school or received any document evidencing completion of the equivalent of a secondary curriculum, and reside within the boundaries of this school district may be permitted to attend public schools without payment of tuition.

A birth certificate or other proof of legal age, as well as proof of residence, shall be required by the school administration.

Students new to the district shall be enrolled conditionally until records, including discipline records, from the schools previously attended by the student are received by the district. Notice of the conditional enrollment status of new students shall be clearly indicated on all new student enrollment forms. In the event the student's records indicate a reason to deny admission, the student's conditional enrollment status shall be revoked. The student's parent/guardian shall be provided with written notice of the denial of admission. The notice shall inform the parent/guardian of the right to request a hearing.

Denial of Admission

The Board of Education or the superintendent may deny admission to the schools of the district in accordance with applicable law.

The Board shall provide due process of law to students and parents/guardians through written procedures consistent with law for denial of admission to a student.

The policy and procedures for denial of admission shall be the same as those for student suspension and expulsion inasmuch as the same section of the law governs these areas.

Nondiscrimination

The Board, the superintendent, other administrators and district employees shall not unlawfully discriminate based on a student's race, color, national origin, ancestry, creed, religion, sex, sexual orientation (which includes transgender), marital status, disability or need for special education services in the determination or recommendation of action under this policy.

Regulation for Board Policy JF

According to the Colorado Revised Statutes 22-33-106 (2), subject to the district's responsibilities under the Exceptional Children's Educational Act (see policy JK*-2, Discipline of Students with Disabilities) and other laws pertaining to the education of students with disabilities, the following may be grounds for denial of admission to a public school or diversion to an appropriate alternate program:

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

According to C.R.S. 22-33-106 (3)(a-f), the following may constitute additional grounds for denial of admission to a public school:

1. Graduating from the 12th grade of any school or receipt of any document evidencing completion of the equivalent of a secondary education.
2. Failure to meet age requirements.
3. Having been expelled from any school district during the preceding 12 months.
4. Not being a resident of the district unless otherwise entitled to attend under C.R.S. 22, Articles 23 (migrant children), 32 (exclusion of non-residents) or 36 (schools of choice).
5. Failure to comply with the provisions of Part 9, Article 4, Title 25, C.R.S. (immunization requirements). Any denial of admission for such failure to comply shall not be recorded as a disciplinary action but may be recorded with the student's immunization record with an appropriate explanation.
6. Behavior in another school district during the preceding 12 months that is detrimental to the welfare or safety of other pupils or of school personnel.

According to C.R.S. 22-33-106 (4)(a), a student who has been expelled shall be prohibited from enrolling or re-enrolling in the same school in which the victim of the offense or member of the victim's immediate family is enrolled or employed when:

1. the expelled student was convicted of a crime, adjudicated a juvenile delinquent, received a deferred judgment or was placed in a diversion program as a result of committing the offense for which the student was expelled;
2. there is an identifiable victim of the expelled student's offense; and
3. the offense for which the student was expelled does not constitute a crime against property.

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

Students in Out-of-Home Placements

State law limits the grounds for denial of enrollment regarding students in out-of-home placements, as defined by C.R.S. 22- 32-138 (1)(h).

Student Absences and Excuses (Board Policy JH)

One criteria of a student's success in school is regular and punctual attendance. Students who desire to obtain the greatest benefit from public education recognize that regular attendance is essential. Frequent absences disrupt the learning process and may lead to poor academic work, lack of social development and possible academic failure.

According to state law, it is the obligation of every parent/guardian to ensure that every child under his/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.

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 which cannot be taken care of outside of school hours.
2. A student who is absent for an extended period due to physical, mental, or emotional disability.
3. 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 of 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 or in writing by the district of the unexcused absence.

In accordance with law, the district may impose appropriate penalties that relate directly to classes missed while unexcused. The administration shall develop appropriate interventions and/or consequences.

Students and parents/guardians may petition the Board of Education for exceptions to this policy provided that no exception shall be sustained if the student fails to abide by all requirements imposed by the Board of Education as conditions for granting any such exception.

The maximum number of hours of unexcused absences a student may incur before judicial proceedings to enforce compulsory attendance may be initiated is 24 cumulative clock hours during any calendar or school year.

Chronic Absenteeism

When a student has an excessive number of absences, these absences negatively impact the student's academic success. For this reason, a student who has missed 10% of school days or more whether excused or unexcused may be considered chronically absent. Absences due to suspension or expulsion shall not be counted in the total number of absences considered for purposes of identifying a student as "chronically absent."

Make-Up Work

Make-up work shall be provided for any class in which the student has an excused absence unless otherwise determined by the building administrator or unless the absence is due to the student's expulsion from school. Each school shall establish procedures for completing make-up work, in accordance with this policy, and shall communicate those procedures to students and their parents. It is the responsibility of the student to initiate requests for make-up work, and teachers are required to provide such work upon request.

Credit for work missed during excused or unexcused absences shall be given when the required work has been satisfactorily completed. Make-up work following an unexcused absence shall be allowed with the goal of providing the student with an opportunity to keep up with the class and an incentive to attend school. This work may receive full or partial credit as determined by the building administrator.

If students have extended excused absences, they will be given adequate time to complete work in order to be successful.

A suspended student shall be provided an opportunity to make up schoolwork during the suspension so the student is able to reintegrate into the educational program following the period of suspension. The district shall take into consideration the suspension when determining the amount of credit the student will receive for this make-up work.

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 this time.

Tardiness

Tardiness is defined as the appearance of a student without proper excuse after the scheduled time that a class begins. Because of the disruptive nature of tardiness and the detrimental effect upon the rights of the non-tardy student to uninterrupted learning, penalties may be imposed for excessive tardiness. Parents/guardians shall be notified of all penalties imposed for tardiness. Each school shall develop procedures for handling tardiness.

Tardiness shall be excused when the parent or a school staff member communicates with the teacher and/or attendance office about the tardiness within the period of time specified by the school.

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 the next class. Teachers shall honor passes presented in accordance with 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 (Board Policy JHB)

If a student is absent without an excuse authorized by the parent/guardian or if the student leaves school or a class without permission of the teacher or administrator in charge, the student shall be considered truant. An "habitual truant" shall be defined as a student of compulsory attendance age who has four 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 an "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 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 Conduct (Board Policy JIC)

It is the intention of the Board of Education that the district's schools 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.

The Board, in accordance with applicable 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 emphasizes 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 Board-adopted policies and Board-approved regulations containing the letters "JIC" in the file name constitute the conduct section of the legally required code.

The Board or its designee shall consult with parents/guardians, students, teachers, administrators and other community members in the development and review of the conduct and discipline code.

The conduct and discipline code shall be provided to each student upon enrollment in elementary, middle and high school. The district shall take reasonable measures to ensure each student is familiar with the code. Copies shall be posted or kept on file in each district school. In addition, any significant change in the code shall be provided to students 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 district property and the rights and welfare of other students and staff. All district employees shall be expected to share the responsibility for supervising the behavior of students and for seeing that they abide by the conduct and discipline code.

Student Dress Code (Board Policy JICA)

A safe and disciplined learning environment is essential to a quality educational program. Districtwide standards on student attire are intended to help students concentrate on schoolwork, reduce discipline problems and improve school order and safety. The Board recognizes 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.

Student grooming and apparel must adhere to LPS standards of decency, must not pose a threat to public or personal safety or health and must not be disruptive or distracting to classroom activity or student behavior. These standards apply in school district buildings, on school grounds, in school vehicles, on school district property and at school-sponsored activities.

General standards of appropriate dress include, but are not limited to, the following:

1. Students are expected to exhibit reasonable cleanliness in their grooming and dress.
2. Unacceptable dress includes clothing that is transparent or revealing, or inappropriate for the particular activity.
Also considered unacceptable is clothing:
 - Advertising or referring to alcoholic beverages, tobacco, drugs or weapons;
 - Displaying gang symbols or denoting membership in gangs that advocate drug use; Violence or disruptive behavior by virtue of color, arrangement, trademark or other attribute;
 - Using defamatory or vulgar, offensive or obscene language, design or message;
 - Threatening the safety or welfare of any person;
 - Promoting any activity prohibited by the student code of conduct
4. Students may not sag their pants.
5. Hazardous apparel or jewelry such as spiked belts, spiked wristbands, chains or other items likely to injure the wearer or someone else is not permitted.
6. Appropriate footwear is required at all times.
7. Clothing must be worn as intended by the manufacturer.
8. Appropriate athletic clothing may be worn in physical education classes under guidelines established by the teacher. 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.
9. School administrators may establish additional specific standards for their individual schools within LPS guidelines.

Disciplinary action for violation of dress standards may include requiring the student to remove or change the grooming/apparel, referral to counselor or administration, parental conference, and suspension and/or expulsion.

Student Conduct in School Vehicles (Board Policy JICC)

The privilege of riding in a school vehicle is contingent upon a student's good behavior and observance of the student code of conduct and established regulations for student conduct both at designated school vehicle stops and on board school vehicles.

The operator of a school vehicle shall be responsible for safety of the students in the vehicle, both during the ride and while students are entering or leaving the vehicle. Students shall be required to conform to all rules concerning discipline, safety and behavior while riding in the school vehicle. It is the vehicle operator's duty to notify the director of transportation and the principal of the school involved if any student persists in violating the established rules of conduct.

After due warning has been given to the student and to the student's parents/guardians, the principal may withhold from the student the privilege of riding in the school vehicle. Violation of district policies and regulations while in a school vehicle may also result in the student's suspension or expulsion from school, in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

Student Code of Conduct (Board Policy JICDA)

In accordance with applicable law and Board policy concerning student suspensions, expulsions and other disciplinary interventions, the principal or designee may suspend or recommend expulsion of a student who engages in one or more of the following 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 district 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 district property or stealing or attempting to steal district property.
2. Causing or attempting to cause damage to private property or stealing or attempting to steal private property.
3. Willful destruction or defacing of district property.
4. Commission of any act which if committed by an adult would be robbery or assault as defined by state law.
5. 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.
6. Engaging in verbal abuse, i.e., name calling, ethnic or racial slurs, either orally or in writing or derogatory statements addressed publicly to an individual or a group that precipitate disruption of the district or school program or incite violence.
7. 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 that recklessly endangers the health or safety of an individual or is likely or intended to cause personal degradation or disgrace for purposes of initiation into any student group.
8. Violation of the Board's policy on bullying prevention and education.
9. Violation of criminal law which has an effect on the district or on the general safety or welfare of students or staff.
10. Violation of any Board policy or regulations, or established school rules.
11. Violation of the Board's policy on weapons in the schools. Expulsion shall be mandatory for bringing or possessing a firearm, in accordance with federal law.
12. Violation of the Board's policy on student conduct involving drugs and alcohol.
13. Violation of the Board's violent and aggressive behavior policy.
14. Violation of the Board's tobacco-free schools policy.

15. Violation of the Board's policies prohibiting sexual or other harassment.
 16. Violation of the Board's policy on nondiscrimination.
 17. Violation of the Board's dress code policy.
 18. Violation of the Board's policy on gangs and gang-like activity.
 19. Throwing objects, unless part of a supervised school activity, that can or do cause bodily injury or damage to property.
 20. Directing profanity, vulgar language or obscene gestures toward other students, school personnel or others.
 21. Lying or giving false information, either verbally or in writing, to a district employee.
 22. Engaging in scholastic dishonesty, which includes but is not limited to cheating on a test, plagiarism or unauthorized collaboration with another person in preparing written work.
 23. Making a false accusation of criminal activity against a district employee to law enforcement or to the district.
 24. Behavior on or off school property that is detrimental to the welfare or safety of other students or school personnel, including behavior that creates a threat of physical harm to the student exhibiting the behavior or to one or more other students.
 25. Violation of the Board's policy on student use of technology.
 26. Repeated interference with the district's ability to provide educational opportunities to other students.
 27. Continued willful disobedience or open and persistent defiance of proper authority including deliberate refusal to obey a member of the district staff.
-

Violent and Aggressive Behavior (Board Policy JICDD)

The Board recognizes there are certain behaviors that, if tolerated, would compromise the learning environment to which the students and staff of the district are entitled. These behaviors, categorized as violent or aggressive, will not be tolerated.

Students exhibiting violent or aggressive behavior or warning signs of future violent or aggressive behavior shall be subject to appropriate disciplinary action including suspension and/or expulsion in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions. As appropriate and in accordance with applicable law and Board policy, students may also be referred to law enforcement authorities. At the district's discretion and when appropriate, the student may receive appropriate intervention designed to address the problem behavior. The district may also conduct a threat or suicide assessment of the student.

Students shall immediately report questionable behavior or potentially violent situations to an administrator, counselor or teacher.

A staff member who witnesses or receives a report of a student's act of violence or aggression shall notify the building principal or designee as soon as possible.

An act of violence or 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 or aggression carries with it implied notions of risk of violence and a probability of harm or injury.

An act of violence or aggression includes but is not limited to the following behaviors:

1. Possession, threat with or use of a dangerous weapon—as described in the Board'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 (including by text, social media or other electronic means), 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—as described in the Board's policy on bullying prevention and education.
 7. Gang activity—as described in the Board's secret societies/gang activity policy.
 8. Sexual harassment or other forms of harassment—as described in the Board's sexual harassment policy and nondiscrimination 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, color, ancestry, creed, sex, sexual orientation (which includes transgender), religion, national origin, disability or need for special education services.
 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.
-

School-Related Student Publications (Board Policy JICEA)

The Board encourages students to express their views in school-sponsored publications while observing rules for responsible journalism and complying with this policy and state and federal law. To protect the rights of all members of the school community and to support the district's educational mission and purposes, students are prohibited from publishing expression which:

- Is false or obscene;
- Is libelous, slanderous or defamatory under state law;
- Presents a clear and present danger of the commission of unlawful acts or material and substantial disruption of the orderly operation of the school;
- Violates the privacy rights of others; or
- threatens violence to property or persons

Student editors of school-sponsored publications shall be responsible for determining the news, opinion and advertising content of their publications subject to the limitations of this policy, its accompanying regulation and applicable state and federal law. The publications advisor within each school shall be responsible for supervising the production of school-sponsored publications and for teaching and encouraging free and responsible expression and professional standards of journalism.

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

Regulation for Board Policy JICEA

1. Purpose

School-sponsored publications provide an educational activity through which students can gain experience in reporting, writing, editing and understanding responsible journalism. Content of school-sponsored publications should reflect all areas of student interest, including topics about which there may be dissent or controversy.

2. Prohibited Materials

The following defines those materials prohibited by this regulation's accompanying policy.

- a. Students may not publish or distribute material that is obscene. "Obscene" means:
 - i. The average person applying contemporary community standards finds that the publication, taken as a whole, appeals to a minor's prurient interest in sex.
 - ii. The publication depicts or describes in a patently offensive way sexual conduct such as ultimate sexual acts (normal or perverted), masturbation, excretory functions or lewd exhibition of genitals.
 - iii. The work, taken as a whole, lacks serious literary, artistic, political or scientific value.
- b. Students may not publish expression that is libelous, slanderous or defamatory under state law. "Libelous" is defined as a false and unprivileged statement about a person that injures the individual's reputation in the community.
- c. Expression that is false as to any person who is not a public figure or involved in a matter of public concern is prohibited. If the allegedly libeled individual is a "public figure or official," the official must show that the false statement was published with actual malice, as the terms are defined in law.
- d. Expression which presents a clear and present danger of the commission of unlawful acts, material and substantial disruption of the orderly operation of the school, violates the rights of others to privacy or threatens violence to property or persons is prohibited.

In order for a student publication to be considered disruptive, there must exist specific facts upon which it would be reasonable to forecast that a clear and present likelihood of an immediate, substantial material disruption to normal school activity would occur if the material were distributed. Material that stimulates heated discussion or debate does not constitute the type of disruption that is prohibited.

3. Time, Place, and Manner Restrictions

The principal will coordinate with the publications advisor on the time, place and manner of distributing school-sponsored publications to reduce any conflict with school instructional time and/or reduce any disruption of the orderly operation of the school which might be caused by the distribution of school-sponsored publications.

4. Procedures for Resolving Difference

Student editors will work first with the publications advisor to resolve any differences. If the problem cannot be resolved at this level, the student editors and/or the publications advisor will work with the principal to resolve any problems. If the problem is not resolved at the principal level, the student editors and/or the publications advisor may appeal to the superintendent. The superintendent's decision shall be final.

Student Distribution of Non-Curricular Materials (Board Policy JICEC)

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 may distribute non-curricular materials on school property in accordance with this policy, its accompanying regulation and applicable state and federal law.

Prohibited Distribution

Students shall not distribute any non-curricular materials on school property or at school sponsored activities or events that in themselves or in the manner they are distributed:

- Create or threaten to create a substantial disruption or material interference with the normal operation of the school, school activity or event;
- Advocate or encourage unlawful conduct or conduct that violates Board policy, including but not limited to the Board's policies prohibiting unlawful discrimination, harassment and bullying;
- Cause or threaten to cause injury to persons or property; or
-
- Are obscene, defamatory or violate any person's privacy rights.

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.

Regulation for Board Policy JICEC

Approval Required Prior to Distribution

Students who wish to distribute copies of non-curricular materials on school property or at a school-sponsored activity or event shall submit the material to the school principal for approval at least five school days in advance of the planned distribution date. The principal or principal's designee shall respond to such requests within three school days.

Appeal

If the principal does not approve the materials for distribution, the principal or principal's designee shall provide a written explanation of why the materials were not approved under the policy accompanying this regulation.

1. The student may then appeal the decision as follows:
2. Within 10 school days of receiving the principal's or designee's decision, the student may file a written notice of appeal with the superintendent.
3. The superintendent shall make a written determination within 10 school days of receiving the student's appeal.
4. Within 10 school days of receiving the superintendent's decision, the student may submit a written appeal to the superintendent, requesting a hearing before the Board.
5. The superintendent shall schedule the hearing on the agenda of the next regularly scheduled Board meeting, which generally will be held within 30 days of the filing of a request for a hearing.

After providing the student with an opportunity to be heard, the Board shall render a decision, which shall be final.

The following restrictions apply to all requests to distribute more than 10 items or copies of non-curricular materials by students on school property or at school-sponsored activity or event:

1. Place. Distribution of materials must be made at places within the school or on school grounds as designated by the principal except that in no event may such materials be distributed in any classroom of any building then being occupied by a regularly-scheduled class.
2. Time. Distribution may be made one-half hour before school and/or during regularly scheduled lunch periods and/or 15 minutes after the close of school. Any other times during the school day are considered to be disruptive of normal school activities.
3. Littering. All distributed non-curricular materials discarded in school or on school grounds must be removed by the persons distributing such items.
4. Manner. No student may in any way be compelled or coerced to accept any non-curricular materials. In the alternative, no school official or student may interfere with materials distributed in accordance with this regulation and its accompanying policy.

Violation of this regulation and/or accompanying policy will be sufficient cause for denial of the privilege to distribute materials at future dates and may be cause for disciplinary action, including suspension and/or expulsion.

Student Expression Rights (Board Policy JICED)

While students do not shed their constitutional rights when they enter the school or engage in school-related activities, it is the Board of Education's responsibility to adopt rules reasonably necessary to maintain proper discipline among students and create an effective and safe learning environment.

For purposes of this policy, student expression includes expression in any print or non-print media, including, but not limited to, written, oral, visual, audio, and electronic media in all classrooms and other school-related activities, assignments, and projects.

Students have the right to display the flag of the United States on their person or personal property, and/or property under their temporary control, such as a desk or locker, provided that such display is reasonable and does not disrupt the educational process or cause a safety concern.

Students shall not turn in, present, publish, or distribute any expression, in any print or non-print media, that is obscene, profane, vulgar, libelous, slanderous, defamatory, or otherwise unlawful under state law. In addition, students shall not use any expression that:

1. Falsifies information as to any person who is not a public figure or involved in matters of public concern
2. Creates a clear and present danger of the commission of unlawful acts, the violation of lawful school regulations, or the material and substantial disruption of the orderly operation of the school
3. Violates the rights of others to privacy Threatens violence to property or persons
4. Attacks any person on the basis of race, color, religion, creed, national origin, ancestry, sex, age, sexual orientation, which includes transgender status, disability or need for special education services
5. Tends to create hostility or otherwise disrupt the orderly operation of the educational process Advocates illegal acts of any kind, including the use of illegal drugs, tobacco, or alcohol

Gang Activity/Secret Societies (Board Policy JICF)

The Board of Education desires to keep district schools and students free from the threats or harmful influence of any groups or gangs which advocate drug use, violence or disruptive behavior.

The principal or designee shall take reasonable steps to deter gang intimidation of students and confrontations between members of different gangs on school grounds, in school vehicles and at school activities or sanctioned events.

The presence 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 is prohibited on school grounds, in school vehicles and at school activities or sanctioned events.

Tobacco-Free Schools (Board Policy ADC)

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 prohibited on school property. For purposes of this policy, the following definitions apply:

"School property" means all property owned, leased, rented, or otherwise used or contracted for by a school including but not limited to the following:

1. 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;
2. Support services, maintenance, or storage;
3. All school grounds over which the school exercises control including areas surrounding any building, playgrounds, athletic fields, recreation areas, and parking areas, and
4. All vehicles used by the district for transporting students, staff, visitors, or other persons;
5. At a school sanctioned activity or event.

"Tobacco product" means:

1. any product that contains nicotine or tobacco or is derived from tobacco and is intended to be ingested or inhaled by or applied to the skin of an individual, including but not limited to cigarettes, cigars, pipe tobacco, snuff, and chewing tobacco; and
2. any electronic device that can be used to deliver nicotine to the person inhaling from the device, including but not limited to an electronic cigarette, cigar, cigarillo, or pipe.
3. "Tobacco product" does not include any product that has been approved by the appropriate federal agency as a tobacco use cessation product.

"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 smoking or other use of tobacco products is prohibited in accordance with state law and district policy. This policy will be published in all employee and student handbooks, posted on bulletin boards, and announced in staff meetings.

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

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

Drug and Alcohol Use by Students (Board Policy JICH)

The 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.

Policy Description

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 exchange or be under the influence of alcohol, drugs, other controlled substances, or drug paraphernalia 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.

Situations in which a student proactively seeks counseling or information from a 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.

The Board of Education, 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/guardians, and any other recognized community resources committed to reducing the incidence of illegal use of drugs and alcohol by school-aged youth.

For purposes of this policy, controlled substances include but are not limited to narcotic drugs, opiates, hallucinogenic or mind-altering drugs or substances, amphetamines, barbiturates, stimulants, depressants, marijuana, THC-infused products, anabolic steroids, any other controlled substances as defined in law, or any prescription or nonprescription drug, medication, vitamin or other chemical substances not taken in accordance with the Board's policies and regulations on administering medications to students including administration of medical marijuana to qualified students. This includes substances that are represented as or believed to be such a substance.

This policy also includes possession of drug paraphernalia defined as any machine, instrument, tool, equipment or device which is designed and intended for administering illegal substances or manufacturing or distributing such substances.

The principal or designee may consider a student's age and development level when making decisions regarding this policy.

In situations where a student is not found to be in possession or under the influence, but is knowingly associating with another person or persons while they are unlawfully using or possessing alcohol, drugs, or other controlled substances and has reasonable opportunity to leave the situation, consequences may be applied but not in the category of drugs and alcohol.

This policy shall apply to any student on district property, schools, during a school-sponsored or district-sponsored activity or event, off school property when the conduct has a reasonable connection to school or any district curricular or non-curricular event, 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. Disciplinary sanctions and interventions for violations of this policy shall be in accordance with this policy's accompanying regulation.

District employees applying this policy shall comply with due process and state law by following the procedures for suspension or expulsion in Policy JKD/JKE and regulation JKD/JKE-R. A student may be charged with only one offense at a time, based on whichever rule results in the most severe penalties.

The superintendent or designee may authorize the use of deferred expulsion agreements in cases related to this policy and the accompanying regulation.

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/guardians 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 or obligation for the expense of drug or alcohol assessment or treatment provided by other agencies or groups unless otherwise required.

Regulation for Board Policy JICH

In accordance with the accompanying policy, the following procedures are established for addressing alcohol or drug-related misconduct. These procedures will supplement and complement authority conferred elsewhere by Board policy and will not be deemed to limit or suspend such other authority.

Investigating suspected involvement with drugs or alcohol

When a student is suspected of being involved with drugs or alcohol at school or a school-related activity, the person having the suspicion shall notify the principal or designee immediately. Notification must include reasons for such suspicion (observed use, unusual behavior, confiscated items, witnesses, etc.). The principal or designee will conduct an interview with the suspected student and collect any available information. This may include involving the School Resource Officer or other staff members to assess safety and determine if the student may be intoxicated. This action shall comply with the Board policy on investigations and searches.

1. If information is not sufficient to warrant further action, the principal or designee may have a personal conference with the student expressing awareness and concern.
2. If information warrants further action, the student's parent/guardian will be notified and requested to attend a conference at the school. The conference may include sharing the data collected, explaining consequences of involvement with drugs/alcohol, developing a plan of action, and offering the student's parent/guardian general resources related to substance abuse.
 - If no drugs or alcohol or related paraphernalia are found, the principal or designee will release the student to the parents and notify law enforcement.

- If drugs or alcohol or related paraphernalia are found, the principal or designee will place the evidence in a secure location. The principal or designee shall refer the student to appropriate law enforcement officials in accordance with applicable law. A mutual decision will be made as to retention of the contraband by the school or testing by the authorities.
- 3. 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.

Sanctions and Interventions

Students are subject to disciplinary action up to and including suspension and expulsion for any single violation of the accompanying policy. Offenses and consequences for violations of the accompanying policy shall be cumulative for three calendar years.

Offenses confirmed from schools prior to the student's enrollment in the district may be counted toward the cumulative total. In such a case, the student and parents will be given notice at time of enrollment.

Possession, Use, and/or Being Under the Influence

First Offense

1. The student will be suspended from school for ten days with the opportunity to reduce the suspension to three days, provided the student agrees to complete an appropriate educational course about drugs and alcohol within a reasonable period of time. The course must be approved by the district and any costs associated with such program shall be the responsibility of the student and his/her parent/guardian or legal custodian. Failure to provide documentation of completion of the program within the prescribed time limits will result in the imposition of the additional seven days of suspension.
2. The principal or designee may recommend additional suspension and/or expulsion for a first offense in situations involving particularly pernicious, harmful, or dangerous drugs, based on the details and severity of the case.

Second Offense

1. The student will be suspended from school for ten days with the opportunity to reduce the suspension to five days provided the student agrees to complete an individual substance abuse evaluation/assessment. The evaluation must be approved by the district and any costs associated with such evaluation or program shall be the responsibility of the student and his/her parent/guardian or legal custodian. Failure to provide documentation of completion of the program within the prescribed time limits will result in the imposition of the additional five days of suspension.
2. If the student has not previously completed the educational course for first time offenses, the principal or designee may require that the student complete the course. If the student has previously completed the course, the principal or designee may require that the student complete the course again.
3. The principal or designee may recommend additional suspension, change of educational placement, and/or expulsion for a second offense.

Third Offense

1. The student will be suspended for ten days and recommended for expulsion. The suspension may be extended an additional five days if necessary.

Sale, Distribution, or Intent to Sell or Distribute

First Offense

1. The Student will be suspended for 10 days and recommended for expulsion. The suspension may be extended for an additional five days if necessary.

Second Offense

1. The student will be suspended for ten days and recommended for expulsion upon the second offense and all subsequent offenses within any three year period. The suspension may be extended for an additional five days if necessary.

Weapons in School (Board Policy JIC)

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

Dangerous Weapons

Using, possessing or threatening to use 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. The superintendent or designee may make exceptions to this policy for students participating in an authorized extracurricular activity or team involving the use of firearms.

As used in this policy, “dangerous weapon” means:

1. A firearm.
2. Any pellet, BB gun or other device, whether operational or not, designed to propel projectiles by spring action or compressed air.
3. A fixed blade knife with a blade that exceeds three inches in length.
4. A spring-loaded knife or a pocket knife with a blade exceeding three and one-half inches in length.
5. 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 including, but not limited to, a slingshot, bludgeon, nunchucks, brass knuckles or artificial knuckles of any kind.

Students who use, possess or threaten to use a dangerous weapon in violation of this policy shall be subject to disciplinary action, including suspension and/or expulsion, in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

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

Firearm Facsimiles

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, in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

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, in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions. 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

The Board of Education determines that extra precautions are important and necessary to provide for student safety. Therefore, the using, possessing or threatening to use 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 authorization of the school or school district is prohibited. Students who violate this policy provision shall be subject to disciplinary action, including suspension and/or expulsion, in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

Recordkeeping

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

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 school district to law enforcement.

Student Use of Cell Phones and Other Personal Technology Devices (Board Policy JICJ)

The Board of Education believes personal technology devices may be useful tools for students in the educational environment. They may also be used as a valuable tool for monitoring health, and can play an important communication role during emergency situations. However, use of personal technology devices in school situations must be regulated to assure that the use of such devices does not disrupt or interfere with the educational process or school operations. Therefore, students may only use PTDs on district property, on a district vehicle or at a district or school-sponsored activity or event in accordance with this policy.

For purposes of this policy, "personal technology device" (PTD) includes any privately-owned portable technology device, including but not limited to cell phones, pagers, tablets, laptops, cameras, audio and/or video recorders and players, and all other hand-held electronic communication and data storage devices.

Students may use PTDs as a designated tool for learning if authorized by the student's teacher. It is the student's responsibility to ensure that the PTD is turned off or placed in silent mode during unauthorized times.

Student use of PTDs with cameras and/or video recording capabilities is prohibited in locker rooms, bathrooms or any other location where such use could violate another person's reasonable expectation of privacy.

Students shall not use PTDs to engage in, promote or facilitate any other conduct that violates the student code of conduct, other Board policies or regulations, or state or federal law.

Violation of this policy or any other district, school or classroom rule or regulation on student use of PTDs may result in disciplinary measures and/or temporary confiscation of the PTD. Confiscated devices shall be returned to the student only after a conference with the parent/guardian, student and school personnel. If the building principal or designee believes a student's possession or use of a PTD may involve a violation of the law, the building principal or designee may also refer the matter to law enforcement.

The district shall not be responsible for loss, theft or destruction of PTDs brought onto school or district property or while the student is attending district or school-sponsored activities or events.

Student Interviews, Interrogations, Searches and Arrests (Board Policy JIH)

The Board of Education 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 Board policy or school rules occurs, the principal or designee may question potential student victims and witnesses without prior consent of the student's parent/guardian. 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.

In situations where a student is suspected of violating Board policies or school rules, the principal or designee may interview the suspected student if the school official has a 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 required. 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.

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.

Search of the student's person or personal effects

The principal 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:

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

Searches 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 parent/guardian 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 which is evidence of a violation of law or Board 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 until it is presented at the hearing.
2. Returned to the student or the parent/guardian.
3. Turned over to a law enforcement officer in accordance with this policy.

Law enforcement officers' involvement

Interrogations 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 an emergency or other exigent circumstances exist, such interrogations 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 urgent 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:

Students 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.

Student Discipline (Board Policy JK)

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

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

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

All Board-adopted policies and Board-approved regulations containing the letters “JK” in the policy code constitute the discipline section of the legally required code.

Remedial Discipline Plans

The principal or designee 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 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 for causing a material and substantial disruption in the classroom, on school grounds, in school vehicles, or at school activities or events three times during the school year shall be declared habitually disruptive students. Declaration as a habitually disruptive student may result in the student’s expulsion. Any student enrolled in the district’s schools may be subject to being declared a habitually disruptive student.

Discipline of Special Education Students

Appropriate discipline for special education students shall be in accordance with the student’s Individual Education Plan (IEP) and any behavior intervention plan for the student. The director of special education shall be contacted prior to the use of any disciplinary measure which is not authorized by the student’s IEP or behavior intervention plan as additional procedural considerations are required in accordance with the district’s responsibilities under state and federal law.

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.

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

“Disciplinary information” is intended to include only that information of a serious nature that is not otherwise available to teachers and counselors as part of the education records maintained on students or other reports of disciplinary actions. It is appropriate for instructional employees to request disciplinary information from the principal or designee on students in their classrooms if there is concern that the student poses a threat to the safety of other students or school personnel.

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, or legal custodian when disciplinary information is communicated and to provide a copy of the disciplinary information. The student and/or the student's parent, guardian, or legal custodian may challenge the accuracy of disciplinary information through the regulations accompanying this policy.

Distribution of Conduct and Discipline Code

The conduct and discipline code shall be provided to each student upon enrollment in elementary, middle, and high school. The district shall take reasonable measures to ensure each student is familiar with the code. 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.

Regulation for Board Policy JK

Disciplinary Information

Open communication between principals and the professional staff is essential to accomplish the educational mission of the District. It is recognized that principals have access to information about individual students that may not be otherwise available to others because this information is not recorded as part of the student's education record. To assure that information is shared with the professional staff that may be important to understanding the particular needs of individual students and any potential risk that a student might pose to the safety or welfare of others, state law requires that the principal take steps to communicate this information to teachers and counselors who have direct contact with the student.

In addition, to make sure that the information communicated is accurate, state law gives students and parents, guardians, or legal custodians the right to challenge disciplinary information.

Whenever the principal or designee determines that disciplinary information, as defined in Board policy, must be communicated to a teacher or counselor, he/she will take the following steps:

1. The principal or designee will prepare a brief written statement which sets forth the information to be communicated to a teacher or counselor pertaining to an individual student. If disciplinary information regarding a disabled student is transmitted, the current IEP must also be included. The statement will indicate it is a confidential document. The source of the information will be noted, if applicable.
2. The principal or designee will communicate the information in the statement to the teacher or counselor by providing a copy of the statement. Alternatively, the principal or designee may wait until the student or parent, guardian, or legal custodian has had a chance to challenge the content of the statement before communicating the statement to any teachers or counselors. The teacher/counselor and principal may discuss the information in the statement. The principal or designee will record the names of all individuals who are given a copy of the statement.
3. The principal or designee will provide a copy of the written statement to the student and the student's parent, guardian, or legal custodian (hereinafter referred to as "parent"). However, if a student is 18 years old or older, the student may inspect his or her own records and his or her written permission will be necessary in order for the parent, guardian, or legal custodian to receive them. Such student 18 years or older will be known as the eligible student.
4. The written statement will indicate that the student and/or parent, guardian, or legal custodian may challenge the accuracy of the disciplinary information on the basis that it is inaccurate, false, or misleading unless the statement is solely a summary of an incident for which the student and parent, guardian, or legal custodian has already been afforded a due process hearing prior to imposition of school discipline. In that case, the challenge procedures do not apply.

Challenges to Disciplinary Information

Step 1

The student or parent, guardian, or legal custodian must request a Step 1 review in writing within seven days after receipt of the written statement. If the deadline is not met, the statement will stand as written and there will be no further opportunity to challenge that particular statement. If the student or parent, guardian, or legal custodian challenges any part of the statement, the principal or designee shall review the part of the statement being challenged and may, by mutual agreement with the person making the challenge, destroy, delete, or add to the information in question.

Step 2

If the principal or designee does not agree to change the written statement as requested during the Step 1 review, the student or parent, guardian, or legal custodian may request an informal hearing with the Superintendent or designee within 10 days after the principal's or designee's decision not to change the written statement. This request must be in writing and will state the reasons for the request. The principal may file a written response to the parent's, guardian's, or legal custodian's request for a Step 2 review to be considered by the Superintendent or designee. The Superintendent or designee will make a decision within ten school days after receiving the request for Step 2 review.

The Superintendent or designee may decide that the statement should be revised in accordance with the student or parent, guardian, or legal custodian position or may decide to uphold the principal's or designee statement as accurate. The Superintendent or designee decision is final. The District shall maintain a record of each challenge.

Once an appeal has been held on the disciplinary information contained in a statement, that statement may be communicated to teachers/counselors during the school year without any further challenge. If the statement has been communicated prior to the conclusion of the challenge, and changes have been made to the statement, the principal or designee will provide a copy of the revised statement to all those who received the original statement.

Any teacher or counselor who receives a statement containing disciplinary information will maintain the confidentiality of the information and will not communicate the information to any other person. Any violation of this provision will result in appropriate disciplinary action.

Remedial Discipline Plans

District employees must refer incidents of disruptive behavior to the principal or designee.

1. The principal or designee shall 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 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 or designee will arrange for a meeting with the student, the student's parent, guardian, or legal custodian and any members of the staff whom the principal or designee believes should attend.
3. The purpose of the meeting will be to address the reasons for the student's disruptive behavior and cooperatively to establish goals, objectives, and timelines to modify such behavior. A written plan will be prepared which addresses the student's disruptive behavior, 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 is disruptive in violation of the plan.

4. The plan may be written in the form of a contract, which the student and the parent, guardian, or legal custodian will sign and date.
5. The parent, guardian, or legal custodian 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 or designee if a student is suspended for a second time for causing a material and substantial disruption.
2. The student and the parent, guardian, or legal custodian will be notified in writing of each suspension, which counts toward declaring the student habitually disruptive. The student and parent, guardian, or legal custodian will also be notified in writing and by telephone or other oral communication of the definition of "habitually disruptive student" and the mandatory expulsion of such students.
3. 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.

Use of Physical Intervention and Restraint (Board Policy JKA)

To maintain a safe learning environment, district employees may, within the scope of their employment and consistent with state law, use physical intervention and restraint with students in accordance with this policy and accompanying regulation. Such actions shall not be considered child abuse or corporal punishment if performed in good faith and in compliance with this policy and accompanying regulation.

Corporal Punishment

Corporal punishment shall not be administered to any student by any district employee.

Physical Intervention

Within the scope of their employment, district employees may use reasonable and appropriate physical intervention with a student that does not constitute restraint as defined by this policy, to accomplish the following:

1. To quell a disturbance threatening physical injury to the student or others.
2. To obtain possession of weapons or other dangerous objects upon or within the control of the student.
3. For the purpose of self-defense.
4. For the protection of persons against physical injury or to prevent the destruction of property which could lead to physical injury to the student or others.

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

Restraint

For purposes of this policy and accompanying regulation, restraint is defined as any method or device used to involuntarily limit a student's freedom of movement, including but not limited to bodily physical force and seclusion. Restraint shall not include the holding of a student for less than five minutes by a district employee for the protection of the student or others and other actions excluded from the definition of restraint in state law.

District employees shall not use restraint as a punitive form of discipline or as a threat to control or gain compliance of a student's behavior. District employees are also prohibited from restraining a student by use of a prone restraint, mechanical restraint or chemical restraint, as those terms are defined by applicable state law and this policy's accompanying regulation.

Restraint shall only be administered by district employees trained in accordance with applicable State Board of Education rules.

Exceptions

The prohibition on the use of mechanical or prone restraints in this policy and accompanying regulation shall not apply to:

1. Certified peace officers or armed security officers working in a school and who meet the legal requirements of C.R.S. 26-20-111 (3); and
2. When the student is openly displaying a deadly weapon, as defined in C.R.S. 18-1-901 (3)(e).

Disciplinary Removal From Classroom (Board Policy JKBA)

It is the policy of the Board 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.

Students shall be expected to abide by the code of conduct adopted by the Board and any other appropriate classroom rules of behavior established by the building principal and/or classroom teacher for the purpose of maintaining order and a favorable academic atmosphere. Any student who violates the code of conduct or other classroom rules may be subject to removal from class and/or disciplinary action. Upon the third formal removal from class, a teacher may remove the student from the teacher's class in accordance with this policy, its accompanying regulation and applicable law.

Student removal from class is a serious measure and should not be imposed in an arbitrary, casual, or inconsistent manner. Behavioral expectations are always more constructive and more likely to be followed when they are communicated as clearly as possible to students. However, it is neither possible nor necessary to specify every type of improper or inappropriate behavior, or every circumstance that would justify removal from class under this policy. Teachers are expected to exercise their best professional judgment in deciding whether it is appropriate to remove a student from class in any particular circumstance. All instances of formal removal from class shall be documented.

A teacher is authorized to immediately remove a student from the teacher's classroom if the student's behavior:

1. violates the code of conduct adopted by the Board;
2. is dangerous, unruly, or disruptive; or
3. seriously interferes with the ability of the teacher to teach the class or other students to learn.

A student with a disability may be removed from class and placed in an alternative educational setting only to the extent authorized by state and federal laws and regulations.

Removal from class under this policy does not prohibit the district from pursuing or implementing additional disciplinary measures, including but not limited to, detentions, suspensions, or expulsions for the conduct or behavior for which the student was removed, in accordance with Board policy concerning student suspensions, expulsions and other disciplinary interventions.

The superintendent is directed to establish procedures to implement this policy so that removals from a classroom occur in a consistent manner throughout the district. Parents/guardians shall be notified of the student's removal from class in accordance with established procedures.

Regulation for Board Policy JKBA

A student who engages in classroom conduct or behavior prohibited by the code of conduct may be removed from class by a teacher and placed temporarily in an alternative setting in accordance with these procedures and consistent with state and federal law.

For purposes of this policy and procedure, a "class" includes regular classes, special classes, resource room sessions, labs, study halls, library time, school assemblies, and other such learning opportunities taught or supervised by a teacher. "Teacher" means a person holding a teaching license or authorization issued by the state who is employed to instruct, direct, or supervise the instructional program. It does not include substitute teachers as defined in state law.

Informal Removal to the Principal's Office

An informal removal from class occurs when a student breaks one or several classroom rules in a class period or during the school day. The teacher may remove a student by using approved discipline management techniques such as having the student stand in the hall outside the door or some other safe "time out" environment either in or out of the classroom, or sending the student to the principal's office for a short period of time. Generally, the student will be allowed to return to his or her classroom later the same day. The procedures set forth do not apply to an informal removal from class.

Formal Removal from Class

A teacher may formally remove a student from class for the following conduct or behavior:

1. Conduct that is prohibited in the student code of conduct. A teacher's decision to remove a student from class for behavior covered by board policies regarding suspension and expulsion may, but does not necessarily mean that the student will also be suspended and/or expelled.
2. Disruptive, dangerous or unruly behavior. The following behavior, by way of example and without limitation, may be determined to be disruptive, dangerous or unruly:
 - Inappropriate physical contact intended or likely to hurt, distract or annoy others such as hitting, biting, pushing, shoving, poking, pinching or grabbing;
 - Inappropriate verbal conduct intended or likely to upset, distract or annoy others such as name calling, teasing or baiting;
 - Behavior that may constitute sexual or other harassment;
 - Repeated or extreme inappropriate verbal conduct likely to disrupt the educational environment particularly when others are talking (e.g., lecture by teacher, response by other student, presentation by visitor) or during quiet study time;

- Throwing any object, particularly one likely to cause harm or damage such as books, pencils, scissors, etc.;
 - Inciting other students to act inappropriately or to disobey the teacher or school or class rules, including without limitation, inciting others to walk out;
 - Destroying or damaging the property of the school, the teacher or another student; or
 - Loud, obnoxious, or outrageous behavior.
3. Conduct that otherwise interferes with the ability of the teacher to teach effectively. Students are required to cooperate with the teacher by listening attentively, obeying all instructions promptly, and responding appropriately when called upon. A student's noncompliance may, in turn, distract others either by setting a bad example or by diverting the class from the lesson to the student's inappropriate behavior. By way of example and without limitation, this behavior includes:
- Open defiance of the teacher, manifest in words, gestures or other overt behavior;
 - Open disrespect of the teacher, manifest in words, gestures or other overt behavior; or
 - Other behavior likely or intended to sabotage or undermine classroom instruction.

Procedures to be Followed for Formally Removing a Student from Class

Unless the behavior is extreme, as determined by the teacher, a teacher shall warn a student that continued misbehavior may lead to removal from class. When the teacher determines that removal is appropriate, the teacher shall take one of the following courses of action:

1. Instruct the student to go to the main office. Unless prevented by the immediate circumstances, the teacher shall send a note with the student stating the reason for the student's removal and call the building principal's office.
2. Obtain coverage for the class and escort the student to the main school office. The teacher shall inform the building principal or designee of the reason for the student's removal from class.
3. Seek assistance from the main school office or other available staff. When assistance arrives, the teacher or the other staff member should accompany the student to the main office. The principal or designee shall be informed of the reason for the student's removal.

Within 24 hours of the student's removal from class, the teacher shall submit to the building principal or designee a short and concise written explanation of the basis for the student's removal from class.

Notice to Parent/Guardian

As soon as practicable, the building principal or designee shall notify the student's parent/guardian, in writing, that the student was removed from class. The written notice shall specify the class from which the student was removed, the duration of the removal, and the basis for the removal as stated by the teacher. The notice shall provide an opportunity for the parent/guardian to attend a student-teacher conference regarding the removal. If the student's removal from class is also subject to disciplinary action (i.e., suspension or expulsion) for the particular classroom misconduct, the student's parent/guardian shall also be notified of the disciplinary action in accordance with legal and policy requirements.

Placement Procedures

Each building principal shall designate a room or other suitable place in the school to serve as the short-term removal area.

When the student arrives at the main office, the building principal or designee shall give the student an opportunity to briefly explain the situation. If the building principal or designee is not available immediately upon the student's arrival, the student will be taken to the designated short-term removal area and the principal or designee will speak to the student as soon as practicable.

At the discretion of the building principal or designee, the student may be placed in another appropriate class, program or educational setting, provided students are supervised in such alternative setting.

Students placed in the short-term removal area shall be supervised. During their time of placement, students are expected to do work of an academic nature. If possible, such work shall be related to the work in the class from which the student was removed or may be related to the student's misconduct. In no event shall a student's time in the short-term removal area be recreation or other free time.

In most cases, a student shall remain in the short-term removal area for the duration of the class from which he or she was removed. Prior to allowing the student to resume his or her normal schedule, the building principal or designee shall speak to the student to determine whether the student is, or appears to be, ready and able to return to class without recurrence of the behavior for which the student was removed. In the event it is not deemed appropriate to return the student to regular classes, the building principal or designee may consider a different placement option.

Behavior Plan

The principal or designee and teacher shall consider whether a behavior plan should be developed for the student upon the student's first removal from class. A behavior plan shall be developed and implemented after the teacher formally removes a student from class for the second time and must be developed and implemented before a student may be removed from class for the remainder of the term of the class.

Removal for Remainder of Term

Upon the third formal removal from class, a student may be officially removed from the teacher's class for the remainder of the term. The principal shall be responsible for determining the appropriate educational placement of the student, which may or may not be another section of the same class, depending on a variety of circumstances. The principal's decision regarding placement is final.

Once a student is officially removed from class, a loss of credit may occur if the principal determines that it would be too disruptive to enroll the student in another class after the start of the term.

Review by Principal

The principal or designee is required to collect data pertaining to the number of students who are removed from class during the year. This information will be reported to the public on the safety section of the school report card. While there are a variety of factors to consider when analyzing this data, an unusually high number of formal documented student removals from any one teacher may be cause for concern. The principal shall review this data with teachers at least annually.

A student may be removed from a classroom by a teacher only in accordance with the requirements of this regulation and accompanying policy and the applicable provisions of state and federal law. All teacher actions under this regulation shall be subject to evaluation and supervision by the teacher's supervisor as provided in Board policies and procedures.

Suspension/Expulsion of Students (And Other Disciplinary Interventions) (Board Policy JKD/JKE)

The Board of Education shall provide due process of law to students through written procedures consistent with law for the suspension, or expulsion of students and the denial of admission. (See JKD/JKE-R). In matters involving student misconduct that may or will result in the student's suspension and/or expulsion, the student's parent/guardian shall be notified and involved to the greatest possible extent in the disciplinary procedures.

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

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

1. The student's age.
2. The student's disciplinary history.
3. The student's eligibility as a student with a disability.
4. The seriousness of the violation committed by the student.
5. The threat posed to any student or staff.
6. The likelihood that a lesser intervention would properly address the violation.

For a student in preschool, kindergarten, first grade, or second grade, the Board and its designee(s) also shall determine that failure to remove the student from the school building through suspension and/or expulsion would create a safety threat that otherwise cannot be addressed, and shall document any alternative behavioral and disciplinary interventions that it employs before suspending or expelling the student.

Other Disciplinary Interventions

In lieu of an out-of-school suspension or expulsion and in accordance with applicable law, the principal or designee may consider the use of available interventions to address the student's misconduct. The use of such interventions will vary, depending upon the facts and circumstances of an individual case. Such interventions shall be at the principal's or designee's sole discretion and include but are not limited to detention, in-school suspension, counseling, participation in the district's restorative justice program or positive behavioral intervention support (PBIS) program, completion of a functional behavior assessment and development of a behavior intervention plan, peer mediation, referral to a juvenile assessment center for counseling or other services, or other approaches to address the student's misconduct that do not involve an out-of-school suspension or expulsion and minimize the student's exposure to the criminal and juvenile justice system.

As another intervention and alternative to suspension, the principal or designee may permit the student to remain in school with the consent of the student's teachers if the parent/guardian attends class with the student for a period of time specified by the principal or designee. If the parent, /guardian does not agree or fails to attend class with the student, the student shall be suspended in accordance with the accompanying regulations.

This alternative to suspension shall not be used if expulsion proceedings have been or are about to be initiated or if the principal or designee determines that the student's presence in school, even if accompanied by a parent/guardian would be disruptive to the operations of the school or be detrimental to the learning environment.

Nothing in this policy shall limit the Board's and its designees' authority to suspend and/or expel a student as deemed appropriate by the Board and its designees. The decision to suspend and/or expel a student instead of providing an alternative to suspension or expulsion or the failure of an intervention to remediate the student's behavior shall not be

grounds to prevent the Board and its designees from proceeding with appropriate disciplinary measures, including but not limited to suspension and/or expulsion.

Delegation of Authority

1. Students in third grade and higher grade levels: The Board of Education delegates to the principals of the school district or to a person designated in writing by the principal the power to suspend a student in third grade and higher grade levels in that school for not more than five school-days on the grounds stated in C.R.S. 22-33-106 (1)(a), (1)(b), (1)(c) or (1)(e) or not more than 10 school-days on the grounds stated in C.R.S. 22-33-106 (1)(d) unless expulsion is mandatory under the law (see JKD/JKE-E).
Students in preschool through second grade: The Board of Education delegates to the principals of the school district or to a person designated in writing by the principal the power to suspend a student in preschool, kindergarten, first grade, or second grade in that school for not more than three school days on the grounds stated in C.R.S. 22-33-106.1 (2), unless the principal or designee determines that a longer period of suspension is necessary to resolve the safety threat or expulsion is mandatory under law (see JKD/JKE-E).
2. The Board of Education delegates to the superintendent the authority to suspend a student, in accordance with C.R.S. 22-33-105 and 22-33-106.1 (3), for an additional 10 school days, plus up to and including an additional 10 days if necessary in order to present the matter to the Board, but the total period of suspension shall not exceed 25 school days.
3. Unless otherwise determined by the Board, the Board of Education delegates to the superintendent of schools or to a designee who shall serve as a hearing officer, the authority to deny admission to or expel for any period not extending beyond one year, any student whom the superintendent, in accordance with the limitations imposed by Title 22, Article 33, of the Colorado Revised Statutes, determines does not qualify for admission to, or continued attendance at the public schools of the district. If the hearing is conducted by a designee serving as a hearing officer, the hearing officer shall prepare findings of fact and recommendations for the superintendent at the conclusion of the hearing. The superintendent shall render a written opinion in the expulsion matter within five days after the hearing whether the hearing is conducted by the hearing officer or the superintendent.

The superintendent shall report on each case acted upon at the next meeting of the Board, briefly describing the circumstances and the reasons for action taken. Such denial of admission or expulsion by the superintendent shall be subject to appeal to the Board. The appeal shall consist of a review of the facts that were presented, arguments relating to the decision and questions of clarification from the Board.

Expulsion for Unlawful Sexual Behavior or Crime of Violence

When a petition is filed in juvenile court or district court that alleges a student between the ages of 12 to 18 years has committed an offense that would constitute unlawful sexual behavior or a crime of violence if committed by an adult, basic identification information, as defined in state law, along with the details of the alleged delinquent act or offense, is required by law to be provided immediately to the school district in which the juvenile is enrolled. The district may also receive notification of pending legal charges that have not yet been filed in court.

The information shall be used by the Board of Education 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 Board shall take appropriate disciplinary action, which may include suspension or expulsion, in accordance with this policy.

The Board may determine to wait until the conclusion of court proceedings to consider expulsion, in which case it shall be the responsibility of the district to provide an alternative educational program for the student as specified in state law.

Regulation for JKD/JKE

Procedure for Suspension of 10 Days or Less

Through written policy the Board of Education has delegated to any school principal the power to suspend a student for not more than five or 10 days, depending upon the type of infraction. Pursuant to policy JKD/JKE, the superintendent has been delegated the power to suspend a student for additional periods of time. However, the total period of suspension will not exceed 25 school days. As a general rule, a suspension will be 10 days or less.

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

When the term “parent/guardian” is used, it refers to the parent/guardian of students under 18 years of age; if the student is 18 years or older refers to the student. All references to parent/guardian are intended to also include legal custodian.

1. Notice. The principal, designee or the superintendent at the time of contemplated action will give the student and the parent/guardian notice of the contemplated action. Such notice may be oral or in writing. If oral, such notice will be given in person. If written, delivery may be by United States mail addressed to the last known address of the student or student’s parent/guardian.
2. Contents of notice. The notice will contain the following basic information:
 - A statement of the charges against the student.
 - A Statement Of What The Student Is Accused Of Doing.
 - A statement of the basis of the allegation. Specific names may be withheld if necessary.

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

3. Informal hearing. In an informal setting, the student will be given an opportunity to admit or deny the accusation and to give his/ or her version of the events. The administrator may allow the student to call witnesses or may personally call the accuser or other witnesses. The administrator may hold a more extensive hearing in order to gather relevant information prior to making a decision on the contemplated action.
4. Timing. The notice and informal hearing should precede removal of the student from school. There need be no delay between the time notice is given and the time of the informal hearing.
5. If the student's presence in school presents a danger. Notice and an informal hearing need not be given prior to removal from school where a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process. In this case, an informal hearing will follow as soon after the student’s removal as practicable.
6. Notification following suspension. If a student is suspended, the administrator delegated the authority to suspend will immediately notify the parent/guardian that the student has been suspended, the grounds for such suspension, and the period of such suspension. The notification will include the time and place for the parent/guardian to meet with the administrator to review the suspension.

7. Removal from school grounds. A suspended student must leave the school building and the school grounds immediately after the parent/guardian and administrator have determined the best way to transfer custody of the student to the parent/guardian.
8. Readmittance. No student will be readmitted to school until the meeting with the parent/guardian has taken place or until, in the opinion of the administrator, the parent/guardian has substantially agreed to review the suspension with the administrator. However, if the administrator cannot contact the parent/guardian or if the parent/guardian repeatedly fails to appear for scheduled meetings, the administrator may readmit the student. The meeting will address whether there is a need to develop a remedial discipline plan for the student in an effort to prevent further disciplinary action.
9. Make-up work. Suspended students will be provided an opportunity to make up school work during the period of suspension, so the student is able to reintegrate into the educational program of the district following the period of suspension. Students will receive full or partial academic credit to the extent possible for makeup work which is completed satisfactorily.

Procedure for Expulsion or Denial of Admission

In the event the Board of Education contemplates action denying admission to any student or prospective student or expelling any student, the following procedures shall be followed:

1. Notice. Not less than five days prior to the date of the contemplated action, the Board of Education or an appropriate administrative officer of the district will cause written notice of such proposed action to be delivered to the student and the student's parent/guardian. Such delivery may be by United States mail addressed to the last known address of the student or the student's parent/guardian.
2. Emergency notice. In the event it is determined that an emergency exists necessitating a shorter period of notice, the period of notice may be shortened provided that the student or the student's parent/guardian have actual notice of the hearing prior to the time it is held.
3. Contents of notice. The notice will contain the following basic information:
 - A statement of the basic reasons alleged for the contemplated denial of admission or expulsion.
 - A statement that a hearing on the question of expulsion or denial of admission will be held if requested by the student or parent/guardian within ten days after the date of the notice.
 - A statement of the date, time, and place of the hearing in the event one is requested.
 - A statement that the student may be present at the hearing and hear all information against him or her, that the student will have an opportunity to present such information as is relevant, and that the student may be accompanied and represented by a parent/guardian and an attorney.
 - A statement that failure to participate in such hearing constitutes a waiver of further rights in the matter.
4. Conduct of hearing. A hearing may be requested by the parent/guardian. Such hearing will be conducted by the superintendent. The hearing may be conducted in open session or may be closed except to those individuals deemed advisable by the superintendent but including in all events the student, the parent/guardian and, if requested, the student's attorney. Such individuals as may have pertinent information will be admitted to a closed hearing to the extent necessary to provide such information.

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

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

The superintendent or designee will prepare specific factual findings and issue a written decision within five days after the hearing.

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

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

The Board will make final determination regarding the expulsion or denial of admission of the student and will inform the student and his/her parent/guardian of the right to judicial review.

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

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

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

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

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

Procedure for Crimes of Violence or Unlawful Sexual Behavior

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

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

Suspension/Expulsion of Students With Disabilities (Board Policy JKD/JKE-2)

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 or otherwise fail to comply with the District's Code of Conduct will be disciplined in accordance with and subject to their Individual Education Plan (IEP), any behavior intervention plan, and this policy, in accordance with state and federal requirements.

The specific guidelines related to discipline of students with disabilities are set forth in the corresponding regulation JKD/JKE-2-R.

Legal counsel and the assistant superintendent of student support services shall be consulted prior to consideration of expulsion of a student with disabilities for behavior not related to the student's disability.

Regulation for Board Policy JKD/JKE-2

Manifestation Determination

When a disciplinary change in placement is being considered related to a disabled student's behavior, the Individual Education Plan (IEP) team and other qualified District personnel shall review the relationship between the student's disability and the behavior. Such a review must take place immediately, if possible, but no later than ten school days from the date of the decision to take disciplinary action.

The team will determine whether the student's behavior is a manifestation of the disability by making a specific finding whether the conduct in question was caused by, or had a direct and substantial relationship to the child's disability or if the conduct in question was the direct result of the school's failure to implement the child's IEP.

Disciplinary Action for Behavior that is Not a Manifestation

Once the IEP team determines that the behavior was not a manifestation of the disability, disciplinary procedures shall be applied to the student in the same manner as applied to nondisabled students, subject to state and federal requirements.

Disciplinary Action and/or Alternative Placement for Behavior that is a Manifestation

A student with disabilities whose behavior is determined to be a manifestation of his or her disability may not be expelled, but will be disciplined in accordance with his or her IEP, any behavioral intervention plan, and this policy, in accordance with state and federal requirements.

To the extent that they also take such action for students without disabilities, school personnel may, for not more than ten school days, remove a student with a disability who violates the code of conduct from his or her current placement to an appropriate interim alternative educational setting (which must be determined by the child's Individual Education Plan (IEP) team), another setting, or suspension. Following each such suspension, the principal or designee shall forward a copy of the letter of suspension to the assistant superintendent of student support services or designee, who shall monitor the frequency and nature of behavior causing the suspension.

Students with disabilities may be removed to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability in cases where the student carries or possesses a weapon to or at school, on school premises, or to or at a school function; knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function. The definitions of a weapon, illegal drug, controlled substance, and serious bodily injury are as specified in federal law and contained in the Procedural Safeguards Notice Under the Provisions of the Individuals with Disabilities Education Act (IDEA) and Colorado Rules for the Administration of the Exceptional Children's Education Act (ECEA). The interim alternative educational setting shall be determined by the student's IEP team. No later than the date on which the decision to take disciplinary action is made, the District shall notify the parents of that decision and of their procedural safeguards.

A hearing officer may order removal to an alternative setting for 45 days where the District demonstrates by substantial evidence that maintaining the student's current placement is substantially likely to result in injury to the student or others.

Either before or within ten days after any change in placement related to a disciplinary problem, the IEP team must meet to determine an appropriate alternative setting, to develop a behavioral assessment plan or to review and modify an existing intervention plan, and review and modify the IEP where necessary.

Nothing in this regulation shall prohibit the IEP team from establishing consequences for disruptive or unacceptable behavior as part of the student's IEP. The plan shall be subject to all procedural safeguards established by the IEP process.

Expedited Hearings

An expedited hearing is available when:

1. The parent/guardian disagrees with the IEP team's determination regarding manifestation or with any decision regarding placement.
2. The parent/guardian disagrees with the proposed new placement following an interim alternative placement.

The District believes it is substantially likely to result in injury to the student or others if the student remains in the current placement or for the student to be returned to the previous placement.

During any challenge to placement, the student will stay in the alternative placement (unless the parent and District agree otherwise).

Students Not Identified as Disabled

Students who have not been identified as disabled may be subjected to the same disciplinary measures applied to children without disabilities if the District did not have "knowledge" of the disability.

The District has knowledge of the disability when:

1. The parent/guardian has expressed concern in writing to administrative personnel or to the teacher of the student that the student needs special education and related services.
2. The parent/guardian has requested an evaluation in accordance with applicable regulations; or, the student's teacher or other District personnel have expressed concern about the student's behavior or performance to the assistant superintendent of student support services or other District personnel.

The District shall not be deemed to have knowledge of the disability if the parent of the child has not allowed an evaluation of the child, or has refused special education services, or if the child was evaluated and not found to have a disability.

If a request for evaluation is made during the period the student is subject to disciplinary measures, the evaluation will be expedited.

Educational Alternatives for Expelled Students (Board Policy JKF)

Upon request of a student or the student's parent/guardian, the district shall provide educational services deemed appropriate by the district for any student expelled from the district. The educational services will be designed to enable the student to return to the school in which the student was enrolled prior to expulsion, to successfully complete the high school equivalency examination, or to enroll in a non-public, non-parochial school or in an alternative school.

Educational services include tutoring, alternative educational programs, including online programs authorized by state law, or career and technical education programs that provide instruction in the academic areas of reading, writing, mathematics, science, and social studies. In addition to educational services, the student or parent/guardian may request any of the services provided by the district through agreements with state agencies and community organizations for at-risk students.

The district shall determine the amount of credit the student shall receive toward graduation for the educational services provided.

Educational services provided by the district shall be designed to provide a second chance for the student to succeed in achieving an education. While receiving educational services, a student may be suspended or expelled pursuant to the conduct and discipline code of the district. Except as required by federal law for special education students, any student who is suspended or expelled while receiving educational services pursuant to this policy shall not receive further services until the period of suspension or expulsion is completed.

The educational services may be provided directly by the district or through agreements with state agencies and community organizations entered into pursuant to state law. The services need not be provided on school district property.

Students who are expelled for conduct or behavior involving a threat of harm to district students or personnel shall be served through a home-study course or in an alternative school setting designed to address such conduct or behavior, at the discretion of the district.

The superintendent or designee is directed to apply for moneys through the expelled and at-risk student services grant program established by Colorado law or any other grant programs to assist in providing such services.

All expelled students receiving services will be included in the district's pupil enrollment, including those expelled prior to the pupil enrollment count date.

Regulation for Board Policy JKF

Parents/guardians shall be notified in writing at the time of any expulsion of their right to request services from the district if their child is expelled.

All requests for services for expelled students must be made in writing to the principal or designee by the student or the student's parent/guardian.

Within 10 school days of receiving the request, the principal will notify the student and the parent/guardian of the goal in providing educational services, the services to be provided by the district and the amount of credit the student will receive.

If an expelled student is not receiving educational services through the school district under the accompanying policy, the parent/guardian shall be contacted at least once every 60 days until the student is eligible to re-enroll to determine the educational services the student is receiving, unless the student is enrolled in another school district or independent or parochial school, or if the student is committed to the department of human services or sentenced through the juvenile justice system.

Expulsion Prevention (Board Policy JKG)

It is the belief of the Board that available interventions and prevention services should be explored to help students who are at risk of expulsion before expulsion becomes a necessary consequence. The principal of each school shall work with the professional staff to identify students who are at risk of suspension or expulsion.

The district, working with the student's parent/guardian, shall provide students who are identified as at risk of suspension or expulsion with a plan to provide necessary support services to help them avoid expulsion. Services may include:

1. Educational services (tutoring, alternative educational programs or career and technical education programs that provide instruction in the academic areas of reading, writing, mathematics, science, and social studies);
2. Counseling services;
3. Drug or alcohol addiction treatment programs; and/or
4. Family preservation services.

Support services may be provided through agreements with appropriate local governmental agencies, appropriate state agencies, community-based organizations, and institutions of higher education.

The failure of the school district to identify a student for participation in an expulsion prevention program or the failure of such program to remediate a student's behavior shall not be grounds to prevent school personnel from proceeding with appropriate disciplinary measures including, but not limited to, suspension and/or expulsion.

GENERAL INFORMATION

Nondiscrimination/Equal Opportunity (Board Policy AC)

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.
-

Regulation for Board Policy AC

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. If the designated individual is not qualified or is unable to act as such, the Superintendent or designee shall designate an administrator who shall serve until a successor is appointed by the Board of Education.

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 to prevent recurring harassment 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 harasser and his or her parents/guardians, if the alleged harasser is a student, in order to obtain a response to the reported harassment. 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 occurred.

1. Statements by any witness to the alleged incident.
2. Evidence about the relative credibility of the parties involved.
3. Evidence relative to whether the alleged harasser has been found to have harassed others.
4. Evidence of the aggrieved individual's reaction or change in behavior following the alleged harassment.
5. Evidence about whether the individual claiming harassment took action to protest the conduct.
6. Evidence and witness statements or testimony presented by the parties involved.
7. Other contemporaneous evidence.
8. 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:

1. The degree to which the conduct affected one or more students' education or one or more employees' work environment.
2. The type, frequency, and duration of the conduct.
3. The identity of and relationship between the alleged harasser and the aggrieved individual.
4. The number of individuals involved as alleged harassers and as subjects of the harassment.
5. The age of the alleged harasser and the aggrieved individual.
6. The size of the school, location of the incident, and context in which it occurred.
7. 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 or designee. The compliance officer's report shall be advisory and shall not bind the Superintendent or designee or the District to any particular course of action or remedial measure. However, the report may be used by

the Superintendent or designee 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 or designee.

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 or designee 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, to make the victim whole by restoring lost educational or employment opportunities, to prevent harassment from recurring and to prevent retaliation against anyone who reports harassment or participates in a harassment 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, correct its negative impact on the affected individual, and ensure that the harassment 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 Disability (Board Policy AC-E-1)

The Board of Education 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 person 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 activities.

The Board of Education shall designate an individual as the responsible employee to coordinate District compliance with Section 504 of the Rehabilitation Act and with the Americans with Disabilities Act (ADA). See ACE-E-1.

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

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

Complaint Procedure

Any student or employee shall have a ready means of resolving any claim of discrimination on the basis of disability in the educational programs or activities of the District. 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.

In the event a student believes that there has been a violation of Section 504 or ADA, he/she shall mail or deliver to the employee designated as Section 504 and ADA 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 involved.

The compliance officer shall conduct an investigation as necessary to determine the facts involved and shall offer the individual filing the written statement an opportunity to discuss the matter personally, if requested, and shall notify the individual of his/her right to obtain copies of the individual's school records.

The compliance officer shall report to the Superintendent his/her findings and recommendations regarding resolution of the matter. Within 10 school days of receiving the findings and recommendations 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 submitting the written statement of an alleged violation is not satisfied with the handling of the matter by the Superintendent, he/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.

Dissemination of Policy

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 is required by Section 504 and ADA not to discriminate in such a manner. The notification shall be made in the form and manner required by law or regulation.

Students with Food Allergies (Board Policy JLCDA)

The Board recognizes that many 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 Board sets forth the following requirements.

Development of Health Care Action Plan

The school nurse consultant, or a school administrator in consultation with the school nurse consultant, shall develop and implement a health care action 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.

Reasonable Accommodations

The plan shall also include reasonable accommodations 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 or 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 Board policy.

Staff Training

The principal or equivalent school administrator, in consultation with the school nurse consultant, shall determine the appropriate recipients of emergency anaphylaxis treatment training, which shall include 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.

Annual Notice

Prior to the beginning of each school year, the district shall provide notice of this policy to the parent or legal guardian of each student enrolled in a district school. The notice shall include the standard allergy and anaphylaxis form developed by the Colorado Department of Public Health and Environment.

EXHIBIT FOR BOARD POLICY JLDAC

Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)

Protection of Pupil Rights Amendment (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 concerning 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 be 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 (Board Policy JLFF)

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. Information can be found at: Littletongov.org and Arapahoe.gov.

Student Fees, Fines, and Charges (Board Policy JQ)

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 adopted by the Board. The fees shall remain in place until modified or removed by Board resolution. All student fees adopted by the Board shall be used for the purposes set forth in the motion 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 shall 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 the Board may authorize are the following:

Textbooks, Library Resources and Other School Property

Textbooks shall be provided on a loan basis. Students may be asked to pay a nonrefundable rental fee reasonably related to the actual cost of some or all of the textbooks provided for the student. The rental fee and corresponding depreciation schedule shall be adopted by the Board prior to the textbook's introduction into the classroom. No rental fee will be assessed for textbooks and workbooks used in the classroom for reference.

It is expected that students shall return textbooks, library resources and other school property 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 fines will be for the amount of the loss.

If the school district has made a reasonable effort to obtain payment for lost or damaged textbooks, library resources or other school property and the student is graduating, the district may deny the privilege of participation in the graduation ceremony if the student fails to return or replace a textbook, library resource or other school property 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 shop, 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 and expenses 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.

Rental fees for the use of items such as choral robes, band uniforms and school-owned instruments shall be approved by the Board upon the recommendation of the superintendent.

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 activity 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.

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.

Student Records/Release of Information on Students (Board Policy JRA/JRC)

In recognition of the confidential nature of student education records, no person or agency may access student education records without prior written consent from the student's parent or the eligible student, except as set forth in law and this policy.

Definitions

1. "Attendance" in the district includes attendance in person and/or by correspondence and the period during which a person is working under a work/study program.
2. "Custodian of education records" means the principal of the school the student attends or from which the student receives services. When the student's education records are transferred to the district records center, "custodian of education records" means the superintendent or designee. The custodian of education records shall be responsible for the observance of law, policy, regulation and directives in the collection of information for student records, their maintenance and protection, the proper dissemination of information contained therein and the forwarding of records for official purposes to those authorized by law or policy. The custodian shall make available copies of this policy to parents, guardians or legal custodians or eligible students upon request.
3. "Directory information" includes the student's name, email 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 previous education agency or institution attended by the student and other similar information. "Directory information" does not include student telephone numbers, addresses or other personal identifiers, such as social security number.
4. "Disclosure" means permitting access to or the release, transfer or other communication of education records or the personally identifying data contained therein by any means to any person or entity.
5. "Education records" means permanent or temporary records, in all formats and media, including photographic and electronic, that are directly related to a student and are maintained by the district in the care and control of a custodian of education records. Education records may contain, but will not necessarily be limited to, personally identifying data, grades, courses taken, standardized achievement test scores, attendance data, scores on standardized intelligence, aptitude and psychological tests, Individualized Education Programs (IEPs) and related documents, interest inventory results, health data and medical information, family background information, teacher or counselor ratings and observations and reports of serious or recurrent behavior problems. The term "education records" does not include:

Records created by staff members that are seen or used only by the author of the record and/or a substitute worker for the author.

Records relating to an employee of the district. This definition shall not apply to records relating to a student who is employed by the district.

Records relating to an eligible student that are created, maintained or used by a physician, psychiatrist or psychologist: 1) only in connection with provision of treatment to the student. For purposes of this definition, "treatment" excludes remedial educational activities or activities that are part of the instructional program of the district and 2) are not disclosed to anyone other than individuals providing the treatment or to a physician or other appropriate professional of the student's choice.

Records maintained by a law enforcement unit of the school or district that are created by that unit for the purpose of law enforcement.

1. "Eligible student" means a student 18 years of age or older or a student who has been graduated from high school and is attending an institution of post-secondary education and who is not otherwise under a legal disability. Rights normally accorded to and the consent normally required of a parent shall transfer to the student when he/she becomes an eligible student. However, if an eligible student is a dependent for federal income tax purposes, parents, guardians or legal custodians are entitled along with the student to access student education records.
2. "Parent" includes a parent, noncustodial parent, guardian, legal custodian or individual acting as a parent of the student in the absence of a parent or guardian. The district may presume the parent has the authority to exercise the rights inherent in this policy unless the custodian of the student's education records has been provided a copy of a court order to the contrary. For purposes of this policy, accompanying regulation and exhibit, the use of the word "parent" will represent the meaning of "parent" as detailed in this paragraph.
3. "Permanent records" shall consist of personally identifying data, birth date, school enrollment and withdrawal or graduation dates, academic work completed and level of achievement, including grades and standardized test scores. A student's permanent records shall be maintained at the school or schools the student attends. When a student graduates or leaves the district for any reason, his/her permanent records shall be sent to the district central records.
4. "Personally identifying data" includes the name of the student, the name of the student's parent or other family members, the address and telephone number of the student, a personal identifier such as the student number or a list of personal characteristics or other information that would make the student's identity easily traceable.
5. "Record" means any information or data recorded and retained in any medium, including handwriting, print, computer media, video, audiotape, film, microfilm, microfiche and computerized files.
6. "Student" shall include any individual who is or has been enrolled in the district.
7. "Temporary records" shall consist of information not listed in the definition of permanent records but which is of importance to the education process. These materials shall be maintained at the school or schools the student attends or attended and shall not be transferred to the district central records. These materials shall be reviewed periodically and destroyed when they are no longer useful. All such temporary records shall be destroyed within one year plus the current year after the student leaves, transfers, or has graduated from school.

Access to Student Education Records

A parent or eligible student shall be able to inspect and review the student's education records unless the custodian of education records has received a copy of a court order to the contrary. The parent or eligible student shall submit a written request to the custodian of records asking to review the student's education records. In all cases where access to student records is requested, except as provided in the policy, a written request to see the files must be made by the parent or eligible student. The parent is also entitled to access his/her child's education records, despite the lack of written consent from the eligible student, if the eligible student is a dependent for federal income tax purposes or the disclosure is in connection with a health or safety emergency. Access to education records by parents or eligible students shall be in accordance with the regulation accompanying this policy.

School personnel shall use reasonable methods to authenticate the identity of parents, students, school officials and any other party to whom they disclose student education records. Authentication of identity prior to disclosure of electronic records through passwords or other security measures shall be required.

Amendment of Student Education Records

A parent or eligible student shall have the right to challenge the contents of a student's education records if the parent or eligible student feels that any information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student. Student grades cannot be challenged pursuant to this policy. The custodian of education records shall process a request to amend education records in accordance with the regulations accompanying this policy.

Disclosure Without Written Consent

The district will disclose personally identifying data from education 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. This includes:

1. District officials including teachers with a legitimate need to review an education record in order for that official to perform appropriate tasks that are specified in his or her position description or by a contract agreement, used within the context of official district business and not for purposes extraneous to the official's areas of responsibility, relevant to the accomplishment of some task or to a determination about the student, consistent with the purposes for which the data are maintained, including the disclosure of disciplinary information regarding conduct that poses a significant risk to the safety or well-being of the student or others. A district official is a person employed by the district as an administrator, supervisor, teacher or support staff member (including health or medical staff and law enforcement unit personnel), a person serving on the Board of Education, a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor or medical consultants) or a designee of the superintendent for the purpose of creating an alumni directory for sale and/or distribution to alumni, school district administrators and employees.
2. Officials of another school or school system or postsecondary institution who have requested the records and in which the student seeks or intends to enroll, or has enrolled, including the disclosure of disciplinary information regarding conduct that poses a significant risk to the safety or well-being of the student or others. Any records sent during the student's application or transfer period may be supplemented, updated, or corrected as necessary.

Pursuant to federal law, the above paragraph shall serve as notice to parents and eligible students that the district shall forward the types of information referred to above in reply to written requests of officials of a school or school district in which the student seeks to enroll without further notice of the transfer to the parent or eligible student. The district will provide a copy of the record to the eligible student or student's parent if so requested.

The district shall provide to parents and eligible students annual notification that the district forwards such information. Nothing contained in the above paragraph shall authorize the disclosure to other districts of letters of reference contained in a student's education records or personnel file without written consent of the parent or eligible student prior to disclosure.

1. Authorities named in the Family Educational Rights and Privacy Act and accompanying federal regulations. These include representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, and state and local educational authorities.
2. Authorities investigating or providing emergency service involving the health and safety of students and others.
3. Any Colorado law enforcement agency or other state or federal law enforcement agency when the student is under investigation by the agency and the agency establishes that such information is necessary for the investigation.
4. Disclosure to state and local officials and concerns the juvenile justice system's ability to effectively serve, prior to adjudication, the student whose records are disclosed as provided under the Colorado Open Records Act and Colorado Children's Code. Such records and personally identifiable information shall only be disclosed upon written certification by the officials that the records and information will not be disclosed to any other party, except as specifically authorized or required by law, without the prior written consent of the parent or eligible student.
5. Disclosure is in connection with a student's application for, or receipt of, financial aid.

6. Accrediting institutions, to the extent necessary for them to carry out their accrediting functions.
7. Testing and research organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating or administering predictive tests to administer student aid programs or to improve instruction.
8. Parents of students over 18 years of age who are dependent for federal income tax purposes.
9. Anyone if required by a court order or subpoena, provided that a reasonable effort is made to notify the parent or eligible student prior to complying with the subpoena or court order. The district will not notify the parent or eligible student of the request where the court or issuing agency has ordered that the existence or contents of the subpoena or the information furnished in response to the subpoena not be disclosed.
10. The court if the district initiates legal action against a parent or student where the education records are relevant and after the district has made reasonable efforts to notify the parent or eligible student prior to the disclosure or when initiated by a parent or eligible student where the records are relevant for the district's defense.
11. The Secretary of Agriculture, or authorized representative from the USDA Food and Nutrition Service or contractors acting on behalf of the USDA Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations and performance measurements of state and local educational agencies receiving funding or providing benefits of program(s) authorized under the National School Lunch Act or Child Nutrition Act.
12. An agency caseworker or other representative of a state or local child welfare agency or tribal organization who has the right to access the student's case plan because such agency or organization is legally responsible, in accordance with applicable state or tribal law, for the care and protection of the student.

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

Disclosure with Written Consent

Whenever the district is required by law or policy to seek written consent prior to disclosing personally identifiable information from a student's education record, the notice provided to the parent or eligible student shall contain the following:

1. The specific records to be disclosed.
2. The specific reasons for such disclosure.
3. The specific identity of any person, agency or organization requesting such information and the intended uses of the information.
4. The method or manner by which the records will be disclosed.
5. The right to review or receive a copy of the records to be disclosed.

Parental 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.

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. District personnel who knowingly violate this provision are subject to disciplinary action pursuant to applicable Board policy.

As a Medicaid provider, the district will access Medicaid eligibility information for students enrolled in the district from Health Care Policy and Financing (HCPF). HCPF is the designated Medicaid agency in the state. Directory information of names, date of birth and gender will be released to HCPF to verify Medicaid eligibility of students in the district. With annual written consent from the parent or eligible student, the description of health and health-related services delivered to Medicaid eligible students will be released to Medicaid and/or the district billing agent for proper administration of the program. A dated record of all transactions will be kept on file at the district's special programs office.

Sharing Information by the School 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 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.

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 a student's education records.

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.

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

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 or legal custodian when disciplinary information is communicated and to provide a copy of the disciplinary information. The student and/or the student's parent may challenge the accuracy of such disciplinary information through the process outlined in this policy and accompanying regulation.

Disclosure to Military Recruiting Officers

Names, addresses and home telephone numbers, as well as directory information, of secondary school students shall be released to military recruiting officers within 90 days of the request, unless a parent or eligible 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.

Disclosure to the Colorado Commission on Higher Education (CCHE)

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

Disclosure 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 disclosure of any or all of the categories of information provided such refusal is received in writing in the office of the principal of the school where the student is in attendance no later than September 7 or the following Monday if September 7 is a Saturday or Sunday.

The district shall not disclose or publish anything other than directory information to any outside source, except in accordance with this policy. Parent/teacher organizations or school-sponsored groups may not publish more than directory information unless they obtain the written consent for such disclosure from each parent or eligible student or they establish a procedure assuming consent and notify parents in a timely manner of their right to expressly deny consent and prevent disclosure.

Record of Disclosure

The custodian of education records shall maintain within the education record of each student, a record of all individuals, agencies or organizations that have requested or obtained access to personally identifying data from that student's education records, along with a statement of reason/need for the information requested. Such records of disclosure need not be maintained with respect to: 1) disclosures to a parent or eligible student of directory information, 2) disclosures made to district officials who have legitimate educational interests in the records, 3) disclosures pursuant to a written request from the parent or eligible student when the content is specific as to the party/parties to whom the disclosure is made.

Annual Notification of Rights

The district, at the beginning of each academic year or upon the student's enrollment, will notify the parents or eligible students of their rights pursuant to this policy. The district shall provide effective notification of such rights to parents or eligible students identified as disabled or having a primary or home language other than English. Copies of this policy or forms may be obtained from the office of the superintendent or designee anytime during normal business hours.

Waivers

A parent or eligible student may waive any or all of his/her rights protected by this policy. The waiver shall not be valid unless in writing and signed by the parent 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 if made in writing by the same party.

Legal Names of Students

The district will recognize name changes of adopted students when a court order showing same is shown to a school official. The original name shall remain on the student's permanent record in addition to the name change. In

instances where students or parents want the student to be called by a different first or last name, this will be done, with both names remaining on the student's permanent record.

The district shall comply with the Family Educational Rights and Privacy Act (FERPA) and its regulations as well as state law governing the confidentiality of student education records. The district shall be entitled to take all actions and exercise all options authorized under the law.

In the event this policy or accompanying regulation does not address a provision in applicable state or federal law, or is inconsistent with or in conflict with applicable state or federal law, the provisions of applicable state or federal law shall control.

Regulation 1 For Board Policy JRA/JRC

For purposes of this policy, accompanying regulation and exhibit, the use of the word "parent" will represent the meaning of "parent" as detailed in the definitions section of this regulation's accompanying policy.

Request to Review Student Education Records

The custodian of education records shall provide access to inspect and review the student's education records and set a date and time for such inspection and review within a reasonable time after the request. This is usually within three working days after the request has been made, but not to exceed 45 days.

The parent or eligible student shall examine the student's education records in the presence of the custodian of education records and/or other person(s) designated by him/her. Only licensed personnel, such as the assistant principal or counselor, may be so designated. The custodian of education records shall provide other personnel as necessary to give explanations and interpretations of the student education records when requested by parents or the eligible student.

The education record itself shall not be taken from the district building site where the education record is filed. However, upon request, one copy of the education record shall be provided within a reasonable time to the parent or eligible student. The parent or eligible student shall pay a fee per page not to exceed the state-approved rate. The custodian of education records may not charge a fee to search for or retrieve an education record.

If any material or document in a student's education records includes information on other students, the parent or eligible student shall have the right to inspect and review only such part of such material or document as relates to the student or to be informed of the specific information contained in such part of the records.

No part of a student's education records, whether permanent or temporary, shall be destroyed if there is an outstanding request to inspect and review the records.

The district shall inform parents of students with disabilities when personally identifying data collected, maintained or used under this policy is no longer needed to provide education services to the student. The information shall be destroyed at the request of the parent or eligible student. However, a permanent record of the student's name, address, telephone number, grades, attendance record, classes attended, grade level completed and year completed may be maintained without time limit.

Request to Amend Student Education Records

Parents or eligible students who believe that information contained in the education records of a student is inaccurate, misleading or violates the privacy rights of the student may request that the district amend the education records. The parent or eligible student shall send a written request to the custodian of education records in order to indicate the amendments requested. The request must clearly identify the part of the education record they want changed and specify why it is inaccurate, misleading or otherwise violates the privacy rights of the student. The request to amend the student's education records must be made in writing within 10 school days of the date the records were first examined by the parent or eligible student, unless additional time is granted by the district for good cause shown. The custodian of education records shall confirm the parent/eligible student's current address and telephone number.

Within 10 working days of the written request, the custodian of student education records will send the parent or eligible student a written decision indicating the reasons for the decision. All correspondence regarding a challenge to education records must be sent by certified mail to the most recent address of the parent/eligible student and will also include appropriate information regarding the hearing process and any appropriate forms.

If the custodian of education records denies the request to amend the student education record, the custodian of the student's education record shall notify the parent or eligible student of the decision and advise him or her of the right to appeal the denial.

The parent or eligible student shall have an opportunity for a hearing to challenge the content of the student's education records on the grounds that the information contained in the records is inaccurate, misleading or otherwise in violation of the privacy rights of the student. Requests for a hearing shall be made in writing to the building principal as the superintendent's designee.

The district's response to the request shall be mailed within 10 school days.

The hearing shall be held within 25 school days after the written request is received and the district shall provide reasonable advance notice to the parent or eligible student of the date, time and place of the hearing via certified mail.

The superintendent or designee will appoint, in writing, a district official (a principal or higher administrative official) to conduct the hearing. Such official must not be the person who made the initial decision nor have a direct interest in the outcome of the hearing.

The parent or eligible student shall have a full and fair opportunity to present evidence relevant to the issues whether the student education records contain information that is inaccurate, misleading or otherwise violates the student's privacy rights and may, at their own expense, be assisted or represented by one or more individuals of their own choosing, including an attorney.

The official conducting the hearing shall issue a decision in writing to the parent or eligible student within 20 school days after the hearing and shall base the decision solely on the evidence presented at the hearing. The written decision must include a summary of the evidence and the reasons for the decision and be sent to the parent or eligible student by certified mail.

If the request to amend education records is granted, the custodian will amend the records accordingly.

If the request to amend education records is denied, such decision must include a statement informing the parent or eligible student of their right to place in the records a statement commenting upon the information in the records, and/or setting forth any reason for disagreement. Any explanation placed in the student education records will be maintained by the district for as long as the record or the contested portion of the record is maintained. If the student education record or contested portion is disclosed to any party, the explanation also will be disclosed.

Regulation 2 For Board Policy JRA/JRC

Disclosure of Student Information to Military Recruiting Officers

Each year, currently enrolled juniors will be informed by the high school principal that recruiting officers from the armed forces request student information, including names, addresses and home telephone numbers as well as directory information. Parents, guardians or eligible students wishing to prevent disclosure of information must submit a written request to the principal within 14 days of the principal's announcement. When the school receives a request for information from a military recruiter, the school will release the specified information within 90 days of the request on all students who do not have a request on file.

The cost of providing this information will be borne by the military recruiters. A charge of \$1.00 per page may be billed. This amount includes supplies, postage and secretarial time to compile this information. No action will be taken in any year to compile membership lists unless the military recruiter has agreed, in advance, to bear such costs.

Regulation 4 For Board Policy JRA/JRC

Posting student information on school website

The district is committed to maintaining the confidentiality of student education records, including grades, transcripts, attendance and any other student information in the district's student database system. The student's security credentials in the district's database are intended to protect the confidentiality of the information in the student's education record.

It is a regular practice of the district to evaluate student achievement and to issue grades and/or reports based on student progress. The reporting of student grades and/or progress on a regular and timely basis serves to inform the student and his/her parent regarding that student's educational growth. Student achievement data will be provided through the secure database portal.

Given that the benefits outweigh the risks, a school may provide parental access to student information from the district's student database system through the secure database portal, unless the student's parents, guardians or legal custodian ("parent") or eligible student 18 years or older has indicated in writing that the student's grades, transcripts, attendance and any other student information from the district's student database system shall not be posted on a school administered website.

Grades and other student record information shall not be transmitted by unsecured email. However, access to an individual school administered website using the student's unique identification number from the district's student information system database will not be deemed to be in violation of this regulation or the accompanying Board policy.

The district will inform parents and eligible students of the opportunity to opt out of the secure database portal and will make opt-out forms available throughout the school year.

NOTE TO PARENTS:

The opt-out form is available at your child's school.

Notification to Parents and Students of Rights Concerning Student School Records

The Family Educational Rights and Privacy Act (FERPA) and Colorado law afford parents, guardians, or legal custodians (“parents”) 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 a reasonable time period after the request for access is made (not to exceed 45 days).
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.
3. The right to privacy of personally identifiable information contained in the student’s education records, except to the extent that FERPA and state law authorize disclosure without consent, as set forth in this policy.
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 Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-8520

5. The right to refuse to permit the designation of any or all categories of directory information.
6. The right to request that information not be provided to military recruiting officers.

Procedures for exercising these rights are set forth in this policy.

ADDITIONAL NOTICES

School Resource Officers and the Family Educational Rights and Privacy Act (FERPA)

Littleton Public Schools contracts with the Littleton Police Department and Arapahoe County Sheriff’s Office for the services of School Resource Officers (SRO). These School Resource Officers have been designated as “school officials” as defined by the Family Educational Rights and Privacy Act (FERPA). School Resource Officers perform institutional services or functions for which the district would otherwise use employees, such as participation on threat assessment teams and consulting and intervening in certain school discipline situations. While providing such services, each SRO is under the direct control of the district with respect to the use and maintenance of education records disclosed to the SRO in the course of providing such services, and is subject to the use and maintenance of education records disclosed to the SRO in the course of providing such services, and is subject to the requirements of 34 CFR §99.33(a) governing the use and re-disclosure of personally identifiable information from education records.

Student Use of the Internet (Board Policy JS)

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

Use of the Internet and electronic communications requires students to think critically, analyze information, write clearly, use problem-solving skills and hone computer and research skills that employers demand. Use of these tools also encourages an attitude of lifelong learning and offers an opportunity for students to participate in distance learning activities, ask questions of and consult with experts, communicate with other students and individuals and locate material to meet educational and personal information needs.

The Internet and electronic communications are fluid environments in which students may access materials and information from many sources, including some that may be harmful to students. While it is impossible to predict with certainty what information students might locate or come into contact with, the district shall take reasonable steps to protect students from accessing material and information that is obscene, child pornography or otherwise harmful to minors, as defined by the Board. Students shall take responsibility for their own use of technology devices to avoid contact with material or information that may be harmful to minors. For purposes of this policy, "technology device" means any computer, hardware, software, network, or other technology that is used for learning purposes and has access to the Internet.

Blocking or Filtering Obscene, Pornographic and Harmful Information

Technology that blocks or filters material and information that is obscene, child pornography or otherwise harmful to minors, as defined by the Children's Internet Protection Act (CIPA) shall be maintained for all computers having Internet or electronic communications access. Students shall report access to material and information that is inappropriate, offensive or otherwise in violation of this policy to the supervising staff member. If a student becomes aware of other students accessing such material or information, he or she shall report it to the supervising staff member.

No Expectation of Privacy

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

Unauthorized and Unacceptable Uses

Students shall use technology devices and district networks in a responsible, efficient, ethical and legal manner.

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

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

1. That promotes violence or advocates destruction of property including, but not limited to, access to information concerning the manufacturing or purchasing of destructive devices or weapons

2. That is not related to district education objectives
 3. That contains pornographic, obscene, or other sexually oriented materials, either as pictures or writings, that are intended to stimulate erotic feelings or appeal to prurient interests in nudity, sex or excretion
 4. That harasses, threatens, demeans or promotes violence or hatred against another person or group of persons in violation of the district's nondiscrimination policies
 5. For personal profit, financial gain, advertising, commercial transaction or political purposes
 6. That plagiarizes the work of another
 7. That uses inappropriate or profane language likely to be offensive to others in the school community
 8. That is knowingly false or could be construed as intending to purposely damage another person's reputation
 9. in violation of any federal or state law or district policy, including but not limited to copyrighted material and material protected by trade secret
 10. That vandalizes, damages or disables the property of another person or organization, or attempts to degrade or disrupt equipment, software or system performance or takes any action to violate system security or use the system in such a way as to disrupt its use by other users
 11. That gains unauthorized access to information resources or accesses another person's materials, information or files without the direct permission of that person or provides access to unauthorized users
 12. That contains personal information about themselves or others, including information protected by confidentiality laws
-

Security

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

Students shall not:

1. Use another person's password or any other identifier
2. Gain or attempt to gain unauthorized access to other technology devices
3. Read, alter, delete or copy, or attempt to do so, electronic communications of other system users

Any user identified as a security risk, or as having a history of problems with technology, may be denied access to the Internet, electronic communications and/or technology devices.

Safety

In the interest of student safety and security, the district shall educate students and parents about appropriate online behavior, including cyber-bullying awareness and response; and interacting on social networking sites, in chat rooms and other forms of direct electronic communications.

Students shall not reveal personal information, such as home address or phone number, while using the Internet or electronic communications. Without first obtaining permission of the supervising staff member, students shall not use their last name or any other information that might allow another person to locate him or her. Students shall not arrange face-to-face meetings with persons met on the Internet or through electronic communications.

Vandalism

Vandalism will result in cancellation of privileges and may result in legal action and/or disciplinary action, including suspension and/or expulsion, in accordance with Board policy concerning suspension, expulsion and other disciplinary interventions. Vandalism is defined as any malicious or intentional attempt to harm, destroy, modify, abuse or disrupt operation of any network within the school district or any network connected to the Internet, operation of any form of electronic communications, the data contained on any network or electronic communications, the data of another user, usage by another user, or technology device. This includes, but is not limited to, the uploading or creation of computer viruses and the use of encryption software.

Unauthorized Content

Students are prohibited from using or possessing any software applications, mobile apps or other content that has been downloaded or is otherwise in the user's possession without appropriate registration and payment of any fees.

Assigning Student Projects and Monitoring Student Use

The district will make reasonable efforts to see that the Internet and electronic communications are used responsibly by students. Administrators, teachers and staff have a professional responsibility to work together to monitor students' use of the Internet and electronic communications, help students develop the intellectual skills needed to discriminate among information sources, to identify information appropriate to their age and developmental levels, and to evaluate and use information to meet their educational goals. Students shall have specifically defined objectives and search strategies prior to accessing material and information on the Internet and through electronic communications.

Opportunities shall be made available on a regular basis for parents to observe student use of the Internet and electronic communications in schools.

Student Use is a Privilege

Use of the Internet and electronic communications demands personal responsibility and an understanding of the acceptable and unacceptable uses of such tools. Student use of the Internet, electronic communications and technology devices is a privilege, not a right. Failure to follow the use procedures contained in this policy shall result in one or more of the following consequences:

1. Suspension or cancellation of use or access privileges. Denial of future access.
Payments for damages and/or repairs.
 2. Discipline under other applicable district policies, including suspension and expulsion.
 3. Civil or criminal liability under other applicable laws.
 4. Students and parents/guardians shall be required to sign the district's Acceptable Use Agreement annually before Internet or electronic communications accounts shall be issued or access shall be allowed.
-

School District Makes No Warranties

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

Parent/Guardian Transportation Disclosure

Littleton Public Schools (the District) provides District transportation for students to and from many activities, events, matches, and games. However, the District is unable to provide District transportation in all circumstances and to all events. When District transportation is not available, it is the student's parents/guardians responsibility to provide or arrange for their student's transportation to and from the event.

When District transportation is not available and other alternative forms of transportation are utilized, the District cannot and does not assume any responsibility for the safety, training of drivers, condition of vehicles, adequacy for the use or purpose intended or any other matters related to any non-District transportation.

When private or commercial vehicles are used to transport students to approved school activities, the parent/guardian shall be informed when such transportation is to be used. Littleton Public Schools does not insure private or commercial vehicles.